

Moses, Adolph

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John Marshall Day

Series of Letters and Endorsements in Answer
to Circular Advocating the Celebration of
"John Marshall Day"

February 4, 1901

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"Next to Washington he stands the idol of all good men."

Letter of Joseph Story to Richard Peters,
October 29, 1831.

"John Marshall Day."

"JOHN MARSHALL DAY."

SERIES OF LETTERS AND ENDORSEMENTS IN ANSWER TO
CIRCULAR ADVOCATING THE CELEBRATION
OF "JOHN MARSHALL DAY,"
FEBRUARY 4, 1901.

Presented to the American Bar Association for its Consideration

BY

ADOLPH MOSES,

OF THE CHICAGO BAR.

1899.

“**M**ARSHALL'S judgments upon the national Constitution are among the most original and massive works of the human reason. They are almost as important as the texts of the Constitution which they expound. Some of them were, indeed, criticised at the time; but they have immovably established themselves as right in the general judgment of lawyers, public men, and the people. * * * They have become primal lights, shining with the steadfast fidelity of the North Star or the Southern Cross, for the guidance of the inquirer after American constitutional law.

“For nearly fifty years after his death the nation failed to show in any overt manner an adequate appreciation of the simplicity, worth and dignity of his character, and of his unequalled judicial fitness and qualities; at all events, it failed to display any public memorial of gratitude for those labors which not only so greatly contributed to make the Supreme Bench illustrious, but which enabled the country to attain unto its present stature without a strain upon the Constitution. The bar and the nation have, though tardily, shown themselves worthy of the inheritance of such a name and of such labors, by erecting a statute to his memory, executed by the gifted son of his loved and eminent associate, to the end that the chief executive, the legislator, the suitor, the lawyer, the judge, and the citizen, may in all coming time, as they go to or return from the Capital, be reminded of the thoughtful though severely plain features, the calm majesty, the placid courage, the lofty character, the inestimable public services of him whose uncontested and unenvied title is that of the Great Chief-Justice.”

*Judge John F. Dillon,
in “The Laws and Jurisprudence of England
and America,” a Series of lectures delivered
before Yale University, 1891-1892.*

“**H**IS genius, his learning, and his virtues have conferred an imperishable glory on his country, whose liberties he fought to secure, and whose institutions he labored to perpetuate. He was a patriot and a statesman of spotless integrity and consummate wisdom. The science of jurisprudence will forever acknowledge him as one of its greatest benefactors. The Constitution of the United States owes as much to him as to any single mind, for the foundations on which it rests and the expositions by which it is to be maintained; but above all he was the ornament of human nature itself, in the beautiful illustrations which his life constantly presented of its most attractive graces and most elevated attributes.”

Associate Justice Story, in Reply to Resolutions of Respect by the Supreme Court Bar at Washington, Presented to the Court by Henry Clay, January 12, 1836.

"JOHN MARSHALL DAY."

FEBRUARY 4, 1901.

THE FOLLOWING CIRCULAR WAS FORWARDED TO THE
MEMBERS OF THE AMERICAN BAR ASSOCIATION AND
TO MANY MEMBERS OF THE BENCH AND BAR.

"JOHN MARSHALL DAY."

February 4, 1901.

Proposition formulated and submitted by
Mr. Adolph Moses of the Chicago Bar
and adopted by the Illinois State
Bar Association, July 7, 1899.

On February 4, 1801, John Marshall took his seat in the Supreme Court of the United States as the third Chief Justice, on a commission signed by President John Adams, dated January 31st, 1801. He sat in the Court thirty-four years.

The 4th of February, 1901, will fall on Monday, and I propose, as a member of the bar, that the legal profession of the United States celebrate Monday, February 4th, 1901, as "John Marshall Day," in order to commemorate the great event which gave to the people of the United States the powerful mind of Marshall and harmony and strength to the great instrument, the Constitution of the United States.

This will likely be the first centennial day in the 20th century, and if the suggestion shall be adopted, the occasion will be the peacefully determined expression of the bench and bar of the United States, that constitutional government shall remain with us in its full unimpaired strength, in the 20th century and through the centuries to come.

The celebration of this day by the bench and bar of the United States will bring together the greatest assemblage of lawyers and judges which the world has ever witnessed and the dedication of the day will mark an event, unexampled in the history of English-speaking lawyers and judges.

It is proposed that the judicial department of the governments, both State and National, shall be the principal actor in this national celebration, and it is also suggested that the executive and legislative branches of the government shall participate.

John Marshall, for a brief time, was Secretary of State under President Adams and was one of the envoys sent to France. He was also a member of Congress. Hence it is most fitting that the executive as well as the legislative branches of the government shall participate.

It is proposed that an exalted meeting take place in the Supreme Court Rooms of the United States at Washington, to which the President, the Vice-President, the Speaker of the House, the members of the cabinet and other dignitaries shall be invited, on which occasion, by direction of the Chief Justice, the judicial life and character of Chief Justice Marshall shall be the principal theme of the orator.

It is further proposed that a like celebration take place in the joint houses of Congress.

It is further proposed that on said day of celebration, every court house in the United States shall be closed to secular business and that suitable ceremonies take place commemorative of the great national event.

The law schools in the United States, the universities and faculties of professors may also consider this day as their own so that constitutional knowledge and betterment of republican government may be advanced.

It is also proposed that on that day members of the bar shall be designated by boards of education to address the scholars of the public schools for the purpose of making the name of John Marshall a household word in the land.

In this manner the orators of the day will emphasize the great influence which Chief Justice Marshall has exercised upon the people and government of the United States, and the event must necessarily bring great and lasting results in its train.

The powerful aid of the secular and legal press towards this movement will not be undervalued.

In order to give effect to this idea, it is proposed to present a suitable memorial to the American Bar Association at its next August Session at Buffalo, accompanied with proper resolutions to the effect that the American Bar Association appoint a special committee representing all the States and Territories, to take charge of this subject and work out a plan of celebration for submission to the organized body of the bench and bar and other public bodies in the United States.

It is also proposed that such committee appoint an editor or a number of editors to prepare a commemorative volume which, besides biographical data of the Chief Justice, will largely deal with his constitutional opinions, in order that their influence may be widened throughout the non-professional world.

It is proposed to interest in this matter eminent judges, statesmen and lawyers who

may be induced to endorse the idea, herein suggested, before it is finally submitted for action to the American Bar Association.

These are merely the outlines of the thought which has lately come to me and which may be extended in all reasonable directions. The proposition is in my judgment a feasible one and will be a profound appeal to the intelligence and patriotism of the bench and bar of the United States, to whom these outlines are respectfully submitted by an ardent admirer of Chief Justice Marshall and the far-reaching work which he did for the people of the United States.

(On motion of General John C. Black, of the Chicago Bar, the above proposition was unanimously adopted by the Illinois State Bar Association with instructions to its delegates to the American Bar Association to present it at its next session in Buffalo, N. Y., August 28, 29 and 30, 1899.)

THE FOLLOWING RESPONSES ARE HEREWITH PRESENTED FOR THE CONSIDERATION OF THE AMERICAN BAR ASSOCIATION.

(From Hon. Joseph H. Choate, Ambassador to England.)

London, August 3, 1899.

Your most interesting letter of July 13th in regard to a proposed celebration of John Marshall's memory in 1901, and asking me to speak for the American Bar Association in regard to it, was duly received. It is true that I am still the nominal President of that association. But at this distance I do not feel justified in speaking and am unwilling to pass an opinion upon the feasibility of your scheme for the celebration of the memory of that great jurist, which ought never to be allowed to grow dim.

It seems to me that if you desire to enlist the sympathy and support of the American Bar Association, you should attend its annual meeting and present it there.

Yours most truly,

JOSEPH H. CHOATE.

* * *

(From C. F. Manderson, Vice-President Am. Bar Ass'n.)

I have your favor of the 12th inst. and note with interest and pleasure the action of the Illinois Bar Association on the proposition for the celebration of "John Marshall Day." I find myself fully in accord with your views upon this subject, and I thank you for calling my attention to it. The

unveiling of the statue of John Marshall some years ago at the National Capitol was an occasion of great interest and the wonder to me is that the idea of celebrating a day, that should be devoted, not only to the memory of this great jurist, but to inculcate respect for law and due consideration for the Courts, has not occurred to some one long ago. I certainly will make some reference to this movement in my address to the American Bar Association in August and promise myself the pleasure of meeting you at that time.

CHARLES F. MANDERSON.

* * *

(From Charles Claflin Allen, Member of Executive Committee of Amer. Bar Ass'n, St. Louis.)

Your letter of the 15th inst. is received. Your idea of having some celebration by the bench and bar of "John Marshall Day" is an excellent suggestion.

CHAS. CLAFLIN ALLEN.

* * *

(From Francis Rawle, Treasurer of the Am. Bar Ass'n.)

I heartily approve of your proposal to celebrate in a conspicuous manner the one hundredth anniversary of the day upon which Chief Justice Marshall took his seat on the Supreme Bench of the United States. I be-

lieve this a duty which we owe to him for his great services to the country; and we owe it to ourselves to express our gratitude for all that he did for us. I am, etc.,

FRANCIS RAWLE.

* * *

(From Hon. W. W. Howe.)

Yours of the 15th has just reached me in New York. I beg to reply that I feel much interested in the proposition to have a “John Marshall Day,” and will take pleasure in discussing the subject at Buffalo.

W. W. HOWE.

* * *

(From Attorney General John W. Griggs.)

I am in receipt of your letter relative to the proposed celebration of the centennial of the advent of Chief Justice Marshall to the Supreme Court bench, on February 4, 1901.

While I think this event is one which can properly be commemorated and celebrated, yet I doubt very much whether it is possible to make Marshall the subject of popular worship in the manner that is customary for military heroes and popular statesmen. It seems to me that it would be better to confine the project to the Bench and Bar, whose appreciation of the subject would be appropriate and thorough, rather than to attempt to extend it to people who do not understand, and who never will understand except in a general way, the value of his services.

JOHN W. GRIGGS.

* * *

(From Hon. John Hay, Secretary of State, Washington.)

I have received your letter of the 31st of July. I regret that my many occupations here will prevent my being of any assistance to you in your plan of celebrating the centennial of John Marshall's appointment to the Supreme Bench. But I take pleasure in expressing to you my hearty sympathy with this, and every effort, to keep green in the public memory the career of the greatest of all American jurists. That such a man, superlatively great, both in character and in abilities, should have arisen precisely at the time when he was most needed, and should have come to the place where, of all others, he could be of most use to his own and all succeeding ages, affords the strongest proof of the providential care that watches over this nation.

JOHN HAY.

* * *

(From Adlai E. Stevenson, Ex Vice-Pres. of U. S.)

Bloomington, Illinois.

Your letter comes duly to hand. I endorse most earnestly the action taken by the Illinois Bar Association looking to the celebra-

tion by the legal profession throughout the United States, of February 4th, 1901.

The profession will honor itself by honoring the memory of the Great Chief Justice. It will indeed be well, on the very threshold of the 20th century, to celebrate in the manner you have indicated, the centennial of the induction of John Marshall into his great office.

You deserve the thanks of the profession for having inaugurated so timely a movement.

ADLAI E. STEVENSON.

* * *

(From Justice Brewer, U. S. Supreme Court, addressed to Hon. C. F. Manderson.)

Elysee Palace Hotel.

Avenue Des Champs Elysees.

Paris, July 29th, 1899.

A letter from Chicago compels this line.—I endorse fully the “John Marshall Day.” Many words would add nothing to this.

DAVID J. BREWER.

* * *

(From Hon. H. B. Brown, Associate Justice of the Supreme Court of the United States, Washington.)

In reply to your letter of the 10th inst. I would say that I think your proposition for the commemoration of the hundredth anniversary of Chief Justice Marshall's elevation to the Supreme Bench is a most befitting one.

His services to the country during the formative period of our government, though well understood by the legal profession have never been appreciated at their full value by the great mass of the people, and it is eminently proper that this occasion should be seized upon to call their attention to the fact that we probably owe to him the preservation of the Union during the first half of the present century, when doctrines now thoroughly exploded threatened a dissolution.

H. B. BROWN.

* * *

(From the Lord Chancellor of England, to Hon. C. F. Manderson.)

4 Ennismore Gardens, S. W., 10-8-99.

Dear Sir:

I very readily comply with your request to write a letter approving the celebration on February 4th, 1901, of the centennial anniversary of the day when John Marshall, third Chief Justice of the United States, took his seat at Washington. It would be impossible within the limits of an ordinary letter to deal adequately with his history as a statesman and advocate, but I will borrow a phrase from one of your countrymen in speaking of him when he said: “It is principally on his character as a magistrate presiding over the highest tribunal of the nation that his fame must rest and there let

it rest, for the foundations are deep and strong and the superstructure fitted for immortality."

It is true to say that he had studied diligently our English jurisprudence and no English lawyer would willingly admit that he had not studied Chief Justice Marshall's judgments, and arguments when at the bar. Imperfect as are the reports of these latter, and specially in the great case of *Ware v. Hylton*, they sufficiently disclose what a keen and accurate intellect, what a powerful and lucid style distinguished your great Chief Justice.

During the fourteen years that I have occupied the position of a judge and during the six years during which I was a law officer for the Crown, I have had frequent occasion to have recourse to his recorded wisdom and not infrequently to be guided by principles laid down by him.

Believe me,

Dear Sir,

Very truly yours,

HALSBURY.

Lord Chancellor of England.

* * *

(From Lord Russell, Chief Justice of England, addressed to Hon. C. F. Manderson.)

Hotel Campbell, 45, 47 Avenue Friedland,
Paris, 28th July, 1899.

The enclosures, which reach me from Chicago, will explain how I come to address you. In answer, I desire to say that I shall be glad to join in paying honor to your great Chief Justice Marshall on 4th February, 1901 (should I be alive and well), or on any other day.

RUSSELL OF KILLOWEN.

* * *

(From Frederick Pollock, Editor, Quarterly Law Review.)

London, Eng., Lincoln's Inn.

No English-speaking lawyer who has paid any attention to the Constitution of the United States or the jurisprudence of its Supreme Court can doubt the propriety of celebrating John Marshall's memory. But I think it would be presumptuous for an English lawyer to commit himself to any opinion about the best mode of doing so, and I must respectfully request to be taken as expressing none besides a general confidence that the judgment of the American Bar Association will be worthy of the dignity of the subject and the profession.

FREDERICK POLLOCK. ✓

* * *

(From Andrew D. White, U. S. Ambassador to Germany.)

Homburg v d Roche.

Referring to your letter of July 13th, I am greatly interested to hear of your proposal for the celebration of "John Marshall Day."

It seems to me in every respect a most praiseworthy undertaking; one which the bench and bar of the United States will join in making a success.

I need hardly dwell on the claims of John Marshall, whether as soldier, statesman or Judge. History has done that most fully. But while such a tribute as that which you propose can do comparatively little for his memory, it can hardly fail to subserve a high and permanent use in placing before those who have given themselves to legal studies in our country, one of the highest and noblest ideals which could be presented to them.

It was with this very purpose of presenting him as an inspiring personage to young men engaged in the study of the law, that I some time since placed a copy of his portrait painted for the Philadelphia Bar, in company with several others of the most distinguished lawyers who have rendered great services to mankind, in the Law Library of Cornell University.

From this you will see that I appreciate and honor this work in which you are now engaged.

AND, D. WHITE.

* * *

(From W. L. Wilson, Ex-Sec'y of Interior.)

Lexington, Va.

I am in receipt of your letter enclosing propositions submitted by you to the Illinois Bar Association, and adopted by that association, advocating the celebration of "John Marshall Day" February 4th, 1901. I am sure this suggestion will meet a favorable reception from the Bar of the United States, and from none more warmly than from the Bar of Virginia; and not from the Bar alone, but from all intelligent citizens who understand the value of the immense contribution which John Marshall made to the establishment of constitutional liberty in this country.

It is my present expectation to attend the meeting of the American Bar Association, and if present, I shall help to secure its favorable action upon this proposal.

W. L. WILSON.

* * *

(From Senator Lindsay of Kentucky.)

Your letter, with the enclosed circular, has been received. My admiration for the learning and ability of Chief Justice Marshall is equal to that of any one, and I shall be glad to see his memory honored as you propose to honor it. The character of the address I shall deliver to the American Bar Association precludes me from complying with your request, by alluding in it to the subject-matter of your communication. Under different circumstances, it would afford me great pleasure to contribute in any way to honoring the memory of the great Chief Justice.

WILLIAM LINDSAY.

(From Senator Cullom, of Illinois.)

Your favor of the 19th inst. has been received and noted. I regard your suggestion of a proper observance of the One Hundredth Anniversary of the day on which John Marshall became Chief Justice of the United States, as eminently fitting. He was the greatest judicial expounder of the United States constitution and, in my belief, such a celebration as you indicate would not only be a merited recognition of his great services to his country, but would in these times be a great service in calling attention to the importance of adhering closely to the constitution, the bulwark of our liberties.

S. M. CULLOM.

* * *

(From William Wirt Henry.)

Richmond, Va.

Sickness prevented my reply to your communication in reference to John Marshall. I shall gladly join in doing honor to his memory. My admiration for him is inherited from my father and also from my grandfather, Patrick Henry, who was his warm personal friend and who materially aided in his election to Congress, where his great powers caused his advancement first to the Cabinet, and next to the Supreme Court. He came to the Court at a critical time for the Federal Government, as the theories of Jefferson and Madison threatened to make it a loose confederacy. Taking it as a concession, that the U. S. Constitution is supreme within its sphere, and interpreting its language according to its plain meaning, he demonstrated with inexorable logic its great powers and directed the history of the United States. With a life as pure as his powers were great, he will for all time be honored as "The Great Chief Justice."

WM. WIRT HENRY.

* * *

(From Hon. Henry Wade Rogers, President Northwestern University, Evanston, Ill.)

I endorse very heartily the idea you have suggested that February 4, 1901, be observed by the legal profession of the United States as "John Marshall Day." The great Chief Justice of the United States is worthy of the recognition proposed. It was a most fortunate thing that this man was called to preside over the Supreme Court at a time when that Court was to determine the character of the government then recently established. Marshall's powerful intellect dominated the Court. The constitutional questions that came before the Court during the time he presided over it were of the utmost importance, and were so wisely decided as to command at this time the admiration and gratitude of all our countrymen.

I certainly hope and believe that the suggestions you have made in this matter will be

accepted by the American Bar Association, and that they will be approved by the people of the United States.

HENRY WADE ROGERS.

* * *

(From Hampton L. Carson, Philadelphia, Pa.)

Your proposition for the celebration of "John Marshall Day" is a suggestion so original and striking that I am sure that it will meet with the enthusiastic approval of judges and lawyers everywhere. It can be made the occasion for the most notable legal Congress that the nation has ever seen, and I hope that you will receive the hearty support of the profession in every part of the country.

HAMPTON L. CARSON.

* * *

(From D. H. Chamberlain.)

West Brookfield, Mass.

The project of a "John Marshall Day," on the centennial anniversary of his advent as Chief Justice of the United States meets my hearty approval.

Too much honor can never be done to his name and memory. If such a "Day" shall serve to call us as a nation back to our old-time, or aforesaid, reverence for the Constitution, characterized with amazing ignorance and effrontery in recent days as "obsolete," and "not worth considering," the day will be a noble tribute to Marshall.

D. H. CHAMBERLAIN.

* * *

(From U. M. Rose.)

Little Rock, Ark.

Your letter was duly received. It will afford me pleasure to do anything in my power to aid in the movement that you mention.

U. M. ROSE.

* * *

(From Robert Mather, Chicago.)

I take pleasure in expressing my sympathy with your plan for the celebration of "John Marshall Day," and in congratulating you upon being the first to put the project on foot. In view of the general recognition of the great services rendered by Marshall in the upbuilding of the nation, it is strange, indeed, that a day has not heretofore been set apart to his memory. He ought always to be remembered and honored as one of the founders of the Republic. To me it does not seem too broad a claim to make for him that the Constitution, as it is known and understood to-day, is as much the product of his labors as of those of the men who framed the historic instrument. They moulded the form of a nation; he breathed into that form the spirit that gave the nation strength to live and power to grow. His work is an

enduring part of our national history, and it is peculiarly fitting that, on the centennial of his dedication to the service of the country, his great figure should be brought prominently before the public.

I shall not be able to attend the coming meeting of the American Bar Association, but I hope and believe that your suggestion will meet with the approval of that body.

ROBERT MATHER.

* * *

(From Roger Foster, New York.)

Your suggestion for the celebration of a day in honor of John Marshall, I consider excellent; and I hope that the profession throughout the country will unite in its support.

R. FOSTER.

* * *

(From Spencer Clinton, Pres. of Buffalo Bar Association.)

I have yours of the 15th inst., with enclosures relative to the proposed John Marshall Memorial day. The idea is a very good one, and I trust it will receive the endorsement of the meeting here. The letter and papers have been sent to Mr. Wilson S. Bissell, Chairman of the Committee of Arrangements, as I expect to be away when the meeting is held.

SPENCER CLINTON.

* * *

(From Jackson Guy, Richmond, Va.)

Your circular letter containing the paper introduced by you on the 7th instant in the Illinois State Bar Association and adopted by that Association, relative to setting on foot a movement to constitute on February 4th, 1901, a centennial celebration of the elevation of John Marshall as Chief Justice of the United States, has been duly received and read with great interest.

I am sure that this motion made by our sister State, Illinois, will meet with a cordial second in Virginia, the home of Marshall, where his memory is cherished as one of her most honored sons. I cannot too highly commend the proposition, and would like to give you any assistance in any way practicable towards fulfilling the undertaking.

Our State Bar Association meets on the first proximo at the Va. Hot Springs. I should be delighted if you could attend, and would do so, and set forth this enterprise before our bar on that occasion. I am sure that you would elicit great interest and its co-operation. If you cannot come and would like me to do so, I will take pleasure in presenting the paper to our Association as having been adopted by yours, and getting them to endorse it or adopt it or do whatsoever you would like in the premises.

I enclose you a copy of the program of our meeting, and as the chairman of our

Executive Committee take pleasure in extending to you an invitation to attend our session on that occasion.

JACKSON GUY.

* * *

(From a Descendant of Chief Justice Marshall, Louisville, Ky.)

A friend has just sent to me your proposal to celebrate "John Marshall Day" and I most earnestly hope your plan will meet with success. At my grandmother's knee I was taught to love my great grandfather and told of the sweetness of his character. She never spoke of his greatness—as an aunt said to me, "She knew I would hear that from others." From my childhood days I collected everything I could about him and in recent years have published several articles from these notes in the Boston Lawyers' Magazine, "The Green Bag," notably, "John Marshall, as Son, Husband, Brother & Friend," in December, 1896. Among my most valued possessions are a lock of his hair cut after his death in Philadelphia, by my grandfather, his eldest son. Several of his books and letters from and to him—one a letter to my father written a few months before his death on my father's eleventh birthday.

Again wishing you success,

(Mrs.) SALLIE E. MARSHALL HARDY.

Should your idea be adopted everything I have is at the service of any orator or orators who may be chosen to speak February 4, 1901.

* * *

(From another descendant of Chief Justice Marshall, Louisville, Ky.)

In answer to the circular letter received by me, which was sent out through your instrumentality, in reference to the celebration of the one hundredth anniversary of John Marshall's elevation to the Supreme Court of the United States, and his life and work, I heartily endorse your idea, and sincerely hope it will be carried out. As a great-grandson of John Marshall, I wish to thank you for your thoughtfulness and remain,

BURWELL KEITH MARSHALL.

* * *

(From Chief Justice Cassoday of the Wisconsin Supreme Court.)

I cheerfully comply with the request contained in your letter of the 10th instant to give my opinion as to the propriety of celebrating the one hundredth anniversary of John Marshall's accession to the office of Chief Justice of the Supreme Court of the United States. I have so fully expressed my views in respect to that eminent Federal jurist, in the lecture to which you refer, that you may well assume that I most heartily endorse the movement; and I hope

it may prove to be abundantly successful. You are entitled to much credit for the grand conception and especially for decided action. The tendency to unduly exalt and glorify those who have rendered heroic or patriotic services, in battle, or in statesmanship, or from the rostrum, may be conceded; but there is no danger of unmerited praise being bestowed upon those who have, in the quiet of judicial chambers, correctly solved great controversies, affecting the rights of persons and property and government. Undoubtedly there were judges living during his time, with more extensive learning in the domain of the common law and equity jurisprudence, but none with more accurate conceptions of the general scope, purpose and significance of the powers granted, limited, permitted, prohibited and reserved by our national constitution. A letter received from that very learned author and equity jurist, Sir Nathaniel Lindley, the present Master of the Rolls of Great Britain, contains this statement: "I know little or nothing of Marshall's life, though I value his great judgments very highly. I always look upon him and Kent as two of the greatest judges of whom I know anything." Chancellor Kent lived during the formative period of jurisprudence in the State of New York; and as he was a very industrious and learned man, he naturally devoted himself, with all the energy of his nature, not only to the mastery of the English common law and equity jurisprudence, but also to the civil law. This being so, his judicial opinions are well calculated to impress the mind of an able English equity jurist and author, like Mr. Lindley; and, I presume it would be generally conceded, that in the fields mentioned, Chancellor Kent was superior to John Marshall. But, in my judgment, on questions of American constitutional law, the divergence is still greater in favor of Marshall. As evidence of this, it is only necessary to cite the respective parts taken by them in the celebrated case of *Gibbons v. Ogden*. In that case Ogden, the owner of steamboats, filed a bill in equity against Gibbons, in the Court of Chancery presided over by Chancellor Kent, to restrain the latter from navigating any waters within the jurisdiction of New York by boats propelled by fire or steam, on the ground that Fulton and Livingston, under whom Ogden claimed, had the exclusive right to such navigation until 1825, by virtue of certain acts of the legislature of New York. Gibbons answered, admitting the acts of the legislature and the transfers to Ogden, but denied the validity of the enactments. Upon the hearing, Chancellor Kent held the acts of the legislature to be valid and made the injunction perpetual. *Ogden v. Gibbons*, 1 John. Ch. 150. That judgment was affirmed in the Supreme Court of Judicature for the correction of errors in New York. *Gibbons v. Ogden*, 17

John, 488. From thence the case was taken by writ of error to the Supreme Court of the United States and was there reversed, on the ground that such acts of the legislature of New York were repugnant to the commercial clause of the constitution of the United States and therefore void. *Gibbons v. Ogden*, 9 Wheaton, 1. The able and exhaustive opinion of Marshall, C. J. (pages 186-222), backed by the sanction of the unanimous court, left no room for doubt among those who were willing to give effect to the Federal constitution. Had the opinion of Chancellor Kent in that case become a law of this country, inter-state and international commerce would have been at the mercy of the respective State legislatures. Had Congress interposed, on the ground that such assumed authority of the respective States was only concurrent, the controversy would have been transferred to the caucus, to the political conventions and to popular elections, and the result would have been endless confusion and strife, if not bloody war. Thirteen years after that decision, during which time four of the justices making it had passed from the Court and their places had been supplied by new men, an attempt was made to overturn that decision. Mayor, etc., of New York v. Miln, 11 Pet. 102, in which four of the seven members of the Court wrote opinions. But Mr. Justice Wayne, who was a member of the Court when the last case mentioned was decided, has left on record a statement to the effect that four members of the Court were of the opinion, that according to the constitution and the decisions of the Court in *Gibbons v. Ogden* and *Brown v. Maryland*, "the power in Congress to regulate commerce was exclusive," and that only "three of them thought otherwise." *Passenger Cases*, 7 How. 431, in which each of the nine members of the Court wrote opinions. In a later case, Mr. Justice Miller, speaking for the Court, limits the decision in each of the last two cases mentioned, and said, that the opinion of Chief Justice Marshall in *Gibbons v. Ogden*, "has become the accepted canon of construction of this (commercial) clause of the constitution, as far as it extends." *Henderson v. Mayor, etc.*, 92 U. S. 270. In a still later case, Mr. Justice Field, speaking for the Court, said, that his opinion in *Gibbons v. Ogden*, "is recognized as one of the ablest of the great Chief Justice then presiding," although several of his expressions and some of his reasoning went beyond the questions decided. *County of Mobile v. Kimball*, 102 U. S. 699. In a still later case, Mr. Justice Lamar, speaking for the majority of the Court, paraphrased a passage in the opinion of Marshall, C. J., in *Gibbons v. Ogden*, supra, which he characterized as "that great opinion" which has been "almost uniformly adhered to." *Kidd v. Pearson*, 128 U. S. 16. In the still later case of *Leisy v. Hardin*, 135

U. S. 100, in an opinion by Fuller, C. J., *Gibbons v. Ogden* and *Brown v. Maryland*, supra, are expressly sanctioned, and the conflicting opinions in *The License Cases*, 5 How. 504 (in which there were six), expressly overruled. Pages 115-118. When we remember that *Gibbons v. Ogden* was the first case under the interstate commerce clause of the constitution which ever reached that Court, and that *Brown v. Maryland* was the second, and that a large per cent. of the numerous cases since decided in that Court under that clause have been by a divided Court, and that several which have thus been decided have subsequently been expressly overruled, and that a large per cent. of the cases under that clause decided in the State Courts have been reversed, it is a most remarkable fact that the opinions of the great Chief Justice in those two cases have thus stood the test of time. Numerous other examples might be given. In the field of dispassionate analytical reasoning, in the enforcement of the several provisions of the constitution of the United States, John Marshall stands out as the most exalted American. As he did what he could to make the name of Washington immortal, so may the American bench and bar do what they can to make the fame of John Marshall permanent for the lasting benefit of this republic.

JOHN B. CASSIDAY.

* * *

(From Hon. Charles B. Love, Chief Justice of the Supreme Court of Delaware, Wilmington, Del.)

The proposed "John Marshall Day," as outlined in your circular, meets my hearty approval. Liberty regulated by law is formulated and crystallized in the opinions of John Marshall, who manifestly stands at the head of the world's great jurists. The study of his life and labors in explaining, harmonizing and strengthening our constitutional fabric, cannot fail to elevate every branch of thoughtful constitutional government workers.

CHAS. B. LOVE.

* * *

(From Hon. John A. Peters, of the Supreme Judicial Court of Maine, Bangor, Me.)

Your proposition for the celebration of "John Marshall Day" will no doubt be received with satisfaction everywhere in America. I have no doubt that Washington was the only man on this continent who could make our Revolutionary War successful and that Marshall was almost solely instrumental in securing to the nation a correct constitutional government after our independence was won. The two names are as illustrious as any in the world, if not more so; each name furnishing light and luster as "morn risen on midnoon." It is enough to produce a shudder to contemplate what this country would have been at this period

had Marshall's views of constitutional government been defeated by his judicial and political contemporaries.

JOHN A. PETERS.

* * *

(From J. R. Tyson, Associate Justice Supreme Court of Alabama.)

I am in receipt of your circular containing proposition looking to the celebration of Feb. 4, 1901 as "John Marshall Day" by the Bench and Bar of this country. The proposition is the product of a beautiful sentiment, and its consummation would not only be a befitting tribute to the greatness of Judge Marshall, but of the utmost value to the American people. I fully concur in your plans. Your formulation and submission of them, in my opinion, entitle you to the gratitude of the entire people.

J. R. TYSON.

* * *

(From Hon. James A. Pearce, Judge of the Maryland Court of Appeals, Chestertown, Md.)

Your circular letter proposing the celebration of February 4th, 1901, as "John Marshall Day," has been received, and I cordially approve the movement as appropriate and well timed. This country has produced many men who have graven their names high upon the roll of fame as statesmen and jurists, but Marshall has left a deeper and more profound impression upon its institutions than any of his contemporaries or successors. He brought to the great work committed to him an original and massive intellect, and a moral simplicity and courage in absolute harmony with the unexplored and unequalled scope of the majestic tribunal over which he presided so long and without which we may well believe it could never have attained the exalted estimate in which it is held throughout the civilized world. As Judge Dillon has said: "His judgments have become primal lights, shining with the steadfast fidelity of the North Star or the Southern Cross for the guidance of the inquirer after American Constitutional Law," and Lord Chief Justice Cockburn, speaking of "the august reckoning and accounting between nations, returning light for light and mind for mind," says: "The judgments and dicta of a Marshall or a Story are as familiar to us as those of a Mansfield or an Ellenborough."

Neither the bar nor the country has yet paid adequate tribute to his unrivalled judicial character and his inestimable public services, and the plan you propose for the celebration of the centennial of his entrance into the Supreme Court is well conceived to make his name, as it should be, a household word in the land.

JAMES A. PEARCE.

(From Charles V. Bardeen, Associate Justice Supreme Court, Wisconsin.)

I yield to no one in my respect and veneration for Chief Justice Marshall. The plan of celebrating his entry into the judicial life of the nation ought to meet with distinct approval from every lawyer familiar with the great works he accomplished. I trust your efforts in that direction will meet with the success they deserve.

CHAS. V. BARDEEN.

* * *

(From Geo. M. Harrison, Assoc. Justice of the Supreme Court of Appeals of Virginia, Staunton, Va.)

Your proposition to celebrate February 4th, 1901, as "John Marshall Day," must commend itself to every member of the American Bar. As a Virginian, I could not do otherwise than approve the movement and feel a deep interest in its success.

GEORGE M. HARRISON.

* * *

(From H. C. McWhorter, Associate Justice of Supreme Court of West Virginia, Charleston, W. Va.)

A happy thought. What could be more fitting than that the legal profession should appropriately celebrate the one hundredth anniversary of the elevation to the highest judicial position in the country, of the great legal luminary, John Marshall, whose decisions have added such luster, strength and dignity to American Jurisprudence?

I most heartily commend the suggestion.

H. C. MCWHORTER.

* * *

(From Chief Justice James H. Cartwright, Illinois Supreme Court.)

The thought of celebrating Monday, February 4, 1901, as "John Marshall Day," with ceremonies suitable to the occasion is a most fortunate one, and the people as well as the legal profession of the United States are indebted to you for conceiving it and formulating a plan for such celebration. I hope that the idea may be successfully carried out.

JAMES H. CARTWRIGHT.

* * *

(From J. B. Winslow, Assoc. Justice of Supreme Court of Wisconsin.)

Surely nothing could be more appropriate than a general celebration by bench, bar and people of the centennial anniversary of Chief Justice Marshall's elevation to the Supreme Bench. Your efforts to bring about such a celebration have my most cordial approval.

J. B. WINSLOW.

(From Charles N. Potter, Chief Justice Supreme Court of Wyoming.)

Having read with much interest your proposal with reference to the celebration of "John Marshall Day," I wish to say that the plan has my earnest approval. It has been splendidly conceived, and I hope will be grandly executed.

CHARLES N. POTTER.

* * *

(From James G. Jenkins, U. S. Circuit Court of Appeals, Seventh Circuit, Milwaukee, Wis.)

I cordially concur in your proposal for a celebration of the centennial anniversary of the date when the great Chief Justice John Marshall took his seat in the Supreme Court of the United States. Whatever I can do in furthering your desire and that of the Illinois State Bar Association in that respect will most cheerfully be done. It is pre-eminent fitting that the bench and the bar of the United States should commemorate an event which had so great an influence upon the interpretation of the constitution of the United States in marking the boundaries between the different departments of government and in construing the rights of each. He presided in that Court during what may be termed the formative period of our constitution, and its construction became the duty of that Court during his term of office to a greater extent than at any other time. How well he performed his work, how well he marked and cemented the foundations of government, needs no encomium for the bench or the bar to understand it; but they of all others should unite in so celebrating the event that his name and fame, and more than that, the principles which he aided to settle and which underlie constitution and laws, should be perpetuated among the people at large. I sincerely hope that the American Bar Association will view your proposal with unanimous approbation and will aid to make the event a signal success throughout the entire Union.

JAMES G. JENKINS.

* * *

(From Chief Justice Campbell of Colorado Supreme Court.)

Your proposition for the celebration of "John Marshall Day" February 4th, 1901, submitted to the Illinois State Bar Association, and by that body adopted, is one that commends itself not only to the bench and bar of this country, but to every lover of constitutional history, and every one interested in the perpetuity of constitutional government. It meets with my approval, and I trust that the American Bar Association at its coming meeting will give the movement the impetus of its great influence.

JOHN CAMPBELL.

"JOHN MARSHALL DAY."

(From Hon. William H. Seaman, U. S. District Court, Eastern District of Wisconsin, Milwaukee.)

The action of the Illinois State Bar Association starting the movement for celebration of "John Marshall Day," is timely and well directed, and I am sure there will be earnest co-operation by the bench and bar throughout the country. Count on me for any aid within my ability.

WM. H. SEAMAN.

* * *

(From Hon. Addison Brown, U. S. District Judge for the Southern District of New York, New York.)

I approve of the within and regard such a celebration as certain to exert an important influence for good, not only upon the bench and bar, but upon the public sentiment of the country.

ADDISON BROWN.

* * *

(From Hon. J. B. Moore, Associate Justice of the Supreme Court of Michigan, Lansing.)

Few men have done so great service to the American Republic as John Marshall. It is fitting that on the one hundredth anniversary of his taking a place upon the United States Supreme Court, some recognition should be shown of the value of his work. Your plan seems feasible and has my hearty approval.

J. B. MOORE.

* * *

(From Selden P. Spencer, Judge of the Circuit Court, St. Louis.)

I very cordially approve of the "John Marshall Day" February 4th, 1901, and as one interested in the progress of American jurisprudence am correspondingly grateful for the initiative you have taken in the matter. If I can be of any service to you at the American Bar Association, the Buffalo meeting of which I expect to have the pleasure of attending, I shall be glad to help you.

SELDEN P. SPENCER.

* * *

(From W. H. Gabbert, Justice Supreme Court of Colorado.)

I heartily endorse the proposition for the celebration of "John Marshall Day," February 4, 1901.

W. H. GABBERT.

* * *

(From Judge Truman F. Palmer, Monticello, Ind.)

Permit me, as an individual member of the American Bar Association, to express hearty approval of your proposition for the celebration of "John Marshall Day." Such recognition of the life, work, and influence, of the greatest of American judges and con-

stitutional expounders can but result in great good, by stimulating a more general and studious inquiry into the principles of government, a knowledge of which is so needful for the promotion and advancement of the nation. I earnestly hope the American Bar Association will take such action as is suggested in your proposition.

T. F. PALMER.

* * *

(From C. H. Hanford, U. S. District Judge, Seattle, Washington.)

I wish to be counted among those favoring the proposed celebration of "John Marshall Day." I consider that our country is to be congratulated upon the fact that the principles of government which the founders of the republic, inspired by wisdom more than human, gave to us in the form of a written constitution, have not been, through ignorance and partisan bigotry misconstrued, obliterated or nullified. We should be thankful that a man of great intellect and will power, and a true patriot, was at the right time placed in the position where he could expound and enforce the principles of our national constitution with the result that we have to-day a nation to be proud of, and not a mere alliance of States, jealous of each other and always quarreling and in a condition of turmoil.

I hope that the celebration may prove to be a success worthy of the great city in which the movement for it originated.

C. H. HANFORD.

* * *

(From Vice-President for California for American Bar Association, Los Angeles.)

The conception of observing the centenary of the elevation of the great Marshall to the Supreme Court of the United States, formulated by you, and fittingly approved by the Bar Association of Illinois, is one that appeals to all American lawyers, and is worthy of execution by the American Bar Association.

Liberty circumscribed by law, based upon common consent, is the greatest achievement of man. The noblest, and let us hope, the most enduring expression of such law, is found in our Federal Constitution. To voice and apply the principles of that charter from the sovereign people in the spirit in which they were conceived and adopted was a great privilege, and one of those upon whom it was early conferred, and who fulfilled the trust to the utmost and set guide posts upon the highway of constitutional progress for all time, was John Marshall.

Therefore, to him in an eminent degree, the bench and bar of the United States are indebted, and the fitting opportunity to do honor to his memory that you suggest, should not be allowed to pass without observance.

JAS. A. GIBSON.

(From R. E. Twitchell, Pres. New Mexico Bar Association, Las Vegas, N. M.)

Your esteemed favor with enclosure relative to proposition for a proper celebration of "John Marshall Day" has been received. I most heartily endorse the ideas contained in the circular, particularly that wherein addresses to the school children of the Republic on the day mentioned is proposed. There has been too little patriotism and obedience to the laws taught in our public schools. These principles of the old Spartan masters properly inculcated in the youth of this country can be productive of much good for the future. The opportunities presented by the celebration mentioned as well as the character of addresses which would be made on such an occasion can do much to that end.

R. E. TWITCHELL.

* * *

(From the Vice-President for Oregon of American Bar Association, Portland, Ore.)

I am in receipt of your circular relating to the proposed celebration of John Marshall Day, February 4, 1901, and I cordially approve your plans. There will be no bar association meetings in this State before October and therefore your project cannot be laid before the local association, but I have no doubt that all judges and lawyers in Oregon will be glad to co-operate and unite with their professional brethren throughout the United States on this occasion to do honor to the greatest of America's jurists. It is fitting that the project be promoted by the American Bar Association, and its endorsement will no doubt make the way for a universal celebration of the day throughout the United States.

Please let me know if I can be of further assistance.

CHAS. H. CAREY.

* * *

(From Pres. of South Carolina Bar Ass'n.)

I duly received your favor with enclosure of the 24th ultimo, and endorse with great pleasure the project to commemorate John Marshall Day on 4th of February, 1901. Our State Bar Association has not met for a few years, but I will communicate with as many of them as possible, and feel satisfied they will unite in making the movement a great success.

GEORGE L. BUIST.

* * *

(From Pres. of Tennessee Bar Ass'n., Nashville, Tenn.)

Your favor of July 24th, with circular enclosed, came duly to hand. It will afford me pleasure to lay before the Bar Association of Tennessee, at its next meeting, the

suggestion regarding the "Observance of John Marshall Day."

J. W. BONNER.

* * *

(From Pres. of Iowa State Bar Ass'n, Garna-villo, Iowa.)

I heartily approve of your plan to celebrate on the 4th day of February, 1901, the centennial of the inauguration of John Marshall as Chief Justice of the Supreme Court of the United States.

This generation will so learn his great worth in giving stability to our experimental, free government under the Constitution.

JAMES O. CROSBY.

* * *

(From the Pres. of North Dakota Bar Ass'n, Grand Forks, N. D.)

Your letter of the 24th inst. in regard to John Marshall Day has been duly received and considered, and I take great pleasure in endorsing the same with my heartiest approval.

Our delegates from here to the American Bar Association will in all probability be the Hon. Tracey R. Bangs and myself, both of this city, and we will both favor, so far as we know now, the proposition formulated by you in regard to the celebration of the 4th day of February, 1901, in substantially the manner proposed by you.

J. H. BOSARD.

* * *

(From Richard B. Shepard, Vice-President of American Bar Association for Utah, Salt Lake City, Utah.)

In reply to yours of the 24th inst. in reference to the proposition to set aside and celebrate February 4th, 1901 as "John Marshall Day" in commemoration of the services of Chief Justice John Marshall, would say; that the same meets with my hearty approval and I trust that the American Bar Association will take such action as it may deem necessary to bring this matter to a head.

RICHARD B. SHEPARD.

* * *

(From P. K. Ewing, Sewane, Tenn.)

Hon. F. C. Dillard, ex-president of the Texas Bar Association, has forwarded to me correspondence between you and him touching your proposition relative to "John Marshall Day." It is to be regretted your proposition was not received in time to be laid before our association at its recent session. I shall, however, refer the matter to our accredited delegates to American Bar Association, and it will be, of course, within

the range of their discretion to act on the subject as they may deem proper.

PRESLEY K. EWING,

Prest. Tex. Bar Asso.

* * *

(From Geo. E. DeGolia, Secretary Oakland Bar Association, Oakland, Cal.)

I am in receipt from James A. Gibson, Vice-President for California of the American Bar Association, of a letter requesting the Oakland Bar Association, of which I am Secretary, to endorse the project and co-operate as much as possible in celebrating in 1901 the one hundredth anniversary of the elevation to the Bench of Chief Justice Marshall, with the request that I forward to you some expression from the Oakland Bar Association upon the subject-matter.

It is now vacation here, so far as the Oakland Bar Association is concerned, and a meeting will not be held in time to have formal action taken, so as to write you by August 28, as requested by Mr. Gibson; but I have spoken to a number of the members who are in town, and they all have authorized me to write, in behalf of our association, heartily endorsing the project and expressing a willingness to do here in Oakland, Cal., what little can be done so far away from the meeting of the American Bar Association.

While I am anything but a hero-worshipper, still I firmly believe in showing and expressing a regard for the life, characters, and work of great Americans. At the head of the list, from a lawyer's standpoint, at least, stands Chief Justice Marshall.

I should be glad to receive from you or the proper authority communications from the American Bar Association to submit to our Bar Association here, and I am sure we will take such action as you request in the premises. We have not kept in close touch with the American Bar Association, for what reason, I do not know, and I hope that you will request your Secretary to communicate with me as to our laches, if any, and I hope this association can be in closer relations with the head body than in the past.

GEO. E. DeGOLIA,

Secretary Oakland Bar Association, Oakland, Cal.

* * *

(From Judge Richard S. Tuthill, Circuit Court of Illinois, Cook County.)

I heartily approve the plan to make February 4, 1901, and in each year thereafter a National holiday, and to call it "John Marshall Day"—as stated in the proposition submitted by you to the Illinois State Bar Association.

The government can continue to exist only so long as the people are intelligent, honest and patriotic. Hence, it is the duty of all

to do what we can in our day to promote the education, to strengthen the moral nature of the citizens of our Republic, and to keep ever burning the fire of patriotism in their hearts.

To this end, I know of no means more efficient than the celebration of the "birthdays" of those citizens who by reason of preeminent service to their country are accepted as types illustrating supreme devotion to the duties resting upon the citizens of the Republic. To honor a Washington and all those who in high or humble station aided in the establishment of this government by the people, to show the appreciation Americans have of the service done by a Lincoln and a Grant and by those, who in whatever place, participated in the preservation of the life of the nation, the people ought never to fail to make signal observance of the days already designated as holidays—the birthdays of Washington, of Lincoln and of Grant.

One other should be added to these, and it was a happy and patriotic thought of yours to suggest that day, "John Marshall Day."

The legal profession, always an accepted leader, furnished the reason, the eloquence, and the constructive statesmanship which first aroused the people, formulated the protests against tyranny, and created, and expounded the constitution. Without the direction and support given by the legal profession, at the bar and upon the bench, the genius, the devotion, and courage of a Washington and a Grant, a John Paul Jones, and a Farragut would not have been sufficient to establish and maintain on land and sea this great Republic, the hope and pride of the world. Who can measure the value of the work done by the lawyers of America in all our history? Among these facile princeps stands John Marshall. Lawyers and judges whose names and whose services are written high on the pillars of our jurisprudence and on the pages which tell of faithfulness to country and to every duty—all would be glad to accept John Marshall as the highest type, and would, could they speak to us, heartily endorse your proposition, as a full recognition of the value and merit of their services.

On "John Marshall Day" the thought of all should be called to a profound contemplation of the debt America owes to John Marshall, and the legal profession, and to the work done by its members in all the great crises in our national history.

RICHARD S. TUTHILL.

* * *

(From O. N. Carter, Judge Cook County, Illinois.)

I am very heartily in favor of your proposition to have memorial day in commemoration of John Marshall on February 4th, 1901.

Very few—even among lawyers—appreciate the great services of John Marshall. You will confer a lasting benefit upon our country if you succeed in arousing a permanent interest, as I believe you will, in his life and work.

I note with much interest in the last issue of “The National Corporation Reporter” the suggestion of a Richmond correspondent that something be done in connection with these memorial services towards putting a fitting monument at his grave in Richmond. About two years ago I happened to be in Richmond a few days and had considerable difficulty in finding the cemetery in which he was buried. The hotel proprietors knew nothing about the location—in fact, most of them did not know that John Marshall was buried in the city. After a good deal of inquiry I found that he was buried in the old Shockoe Hill cemetery. The key to the cemetery was kept in the County Poor House. They told me there at first that they did not know whether John Marshall’s grave was in that cemetery, but on looking over their books they found such to be the fact. The keeper of the cemetery seemingly knew where the graves of all other noted people in the cemetery could be found. I finally located his grave, but the cemetery lot in which he and his wife are buried is not well kept up. He has one of the old fashioned tomb stones that were quite common years ago, especially in the South—a wide, flat stone covering the entire grave, giving his name, the date of his birth and death; nothing more.

I certainly think it would be a good idea to remove his remains and those of his wife to the Hollywood Cemetery, near where Presidents Monroe and Tyler are buried, as your correspondent suggests. The Hollywood Cemetery is one of the most beautiful and best kept in the country. A suitable monument ought to be erected at his grave after removal. President Tyler’s grave has no monument, tombstone or mark of any kind—at least, there was none there two years ago, and I understood that none had ever been placed at his grave.

ORRIN N. CARTER.

* * *

(From Judge Philip Stein, Superior Court of Cook County.)

Notwithstanding the great pressure of official duties just now making itself felt, I take advantage of a short lull in the proceedings to express to you my full and cordial approval of the movement initiated by you for a proper celebration of the day on which John Marshall first sat on the bench of the Supreme Court. If there be anything I can do by way of cooperation, and you desire any action on my part, you may command the services of yours truly, PHILIP STEIN.

(From Thomas G. Windes, Justice Appellate Court, Chicago.)

The proposition for the celebration of “John Marshall Day” as presented by you to the Illinois State Bar Association, and unanimously adopted by it, has my most cordial approval.

I hope the proposition will receive the approval of the American Bar Association as well as that of all State Bar Associations in the United States. THOMAS G. WINDES.

* * *

(From Judge John Gibbons, Circuit Court of Cook County, Chicago.)

Your interesting effort in arousing the public to a due appreciation of the great debt of gratitude which it owes to the immortal jurist and patriot, John Marshall, deserve and they will undoubtedly receive the plaudits of the Bench and Bar of America. Assuring you of my hearty co-operation, etc.

JOHN GIBBONS.

* * *

(From John Goode, Bedford City, Va.)

Yours of the 24th inst., with enclosure, has been received.

It will afford me pleasure to call the attention of the Virginia State Bar Association at their annual meeting next Tuesday to the project referred to, and recommend it to their favorable consideration.

Hoping that it may meet with the success it deserves, I am, etc., JOHN GOODE.

* * *

(From Paul Bakewell, St. Louis, Mo.)

I have received in my mail this morning your circular, etc., respecting the proposed celebration of “John Marshall Day.” I approve of the suggestion most heartily, and it seems to me that your suggestion must meet with the approval of all lovers of their profession. It is my opinion that no lawyer ever lived who had a more thorough understanding, and respect for, the Constitution of the United States, and the principles upon which our Federal Government is founded, than that great lawyer and jurist, John Marshall. * * *

I am heartily in accord with your suggestion and will be glad to do all that lies in my power to make “John Marshall Day” an event to be remembered in the history of our country. PAUL BAKEWELL.

* * *

(From John C. Black, Chicago.)

With great pleasure I concur in your resolution presented to and approved by the Illinois State Bar Association. I shall be glad to have my name attached to the proposed memorial to the American Bar Association, and I authorize you to use it.

JOHN C. BLACK.

"JOHN MARSHALL DAY."

(From William D. McNulty, Saratoga Springs, N. Y.)

The proposition for the celebration of "John Marshall Day," advanced by the Illinois State Bar Association, meets with my hearty approval, and I believe should receive the endorsement of the American Bar Association.

WM. D. McNULTY.

* * *

(From Gardiner Lathrop, Kansas City, Mo., addressed to Sec'y Hinkley.)

I am in hearty accord with the proposition of Mr. Adolph Moses, of Chicago, for the celebration of "John Marshall Day" on the 4th day of February, 1901, and trust that the American Bar Association will take appropriate action looking to that end, at the session soon to be held at Buffalo.

GARDINER LATHROP.

* * *

(From Alexander Porter Morse, Washington, D. C.)

Replying to request contained in your circular letter of this month, asking consideration of the proposition for the celebration of "John Marshall Day," it affords me pleasure to say to you that I will cheerfully endorse the recommendation and will cooperate in any way in my power to aid in making it successful and creditable.

In this country, although many burning questions are pressing—which demand wise treatment—an era of anniversary celebrations is upon us, which may be profitably utilized as object lessons. It is therefore commendable to direct the attention of our countrymen to those illustrious benefactors who have done so much to shape the government under which we have prospered. The part which Chief Justice Marshall took in this development was unique and paramount. It was said by one of the first Presidents of the American Bar Association, that we are indebted to Chief Justice Marshall for the American constitution. "I do not mean," added Mr. Phelps, "the authorship of it, or the adoption of it—although in that he had a considerable share—but in that practical construction, that wise administration, which raised it from a doubtful experiment, adopted with great hesitation, and likely to be readily abandoned if its practical working had not been successful, raised it, I say, from a doubtful experiment, to a harmonious, a permanent, and a beneficial system of government, sustained by the judgment, and established in the affection of the people. ALEXANDER PORTER MORSE.

* * *

(From Charles E. Shepard, Seattle, Wash.)

I approve most cordially of the proposition emanating from the State Bar Association of Illinois for a general celebration by the Bench and Bar throughout the United States

of the centenary of John Marshall's accession to the chief justiceship of the United States Supreme Court. It seems to me a most fitting tribute by lawyers and judges to be paid to one of the greatest judges who ever sat on the bench. Certainly as long as government under a written constitution limiting the powers of the government and preserving or giving rights to the governed lasts in any English speaking country, lawyers will turn to Marshall's opinions for enlightenment on the great questions which must continue to arise under such constitutions. And I firmly believe that whatever temporary infractions of constitutional rights are occasionally made under stress of circumstances, constitutional government in that sense will last for many ages; and that it will so last will be largely due to John Marshall.

As a member of the American Bar Association I beg leave to say that I earnestly favor the proposed celebration.

CHARLES E. SHEPARD.

* * *

(From Levi L. Barbour, Detroit, Mich.)

I have read with interest your proposition to celebrate "John Marshall Day" February 4th, 1901, and heartily approve. It seems to me peculiarly proper to pay the respect suggested to the eminent man, and to take advantage of the occasion to impress upon the nation the reverence due to law and the Courts.

We have too many notorious men now who seem to find their only pleasure and solace in deriding the fountains of justice, and attempting to inspire a disrespect and disgust for everything that emanates from law and its enforcement. It is high time that the youth of the country should be led to consider the difference between eminent jurists and the demagogues who preach "the rights of man."

LEVI L. BARBOUR.

* * *

(From C. C. Bonney, Chicago, Illinois.)

I approve most heartily your wise and noble suggestion of an appropriate celebration by the Bench and Bar of the United States of the centennial of the day on which John Marshall first took his seat as Chief Justice of the Supreme Court, and thank you very sincerely for this service to the cause of the administration of justice.

In American History, the name of John Marshall should always be written next to that of George Washington. He was one of the greatest judges who ever lived, and his name will forever be a synonym of Constitutional Jurisprudence. Without the work which he did, the American Union could not have been preserved and perpetuated.

With renewed thanks for your initiation of the proposed celebration, and wishing you the utmost success in carrying the project into effect,

C. C. BONNEY.

(From E. B. Sherman, Chicago.)

Your suggestion to the Illinois State Bar Association touching the celebration of the Centennial Anniversary of the induction of Mr. Chief Justice John Marshall into his high office was most felicitous—almost an inspiration.

That it will receive a favorable and enthusiastic response from the bench, the bar, and the press of the country, I cannot doubt.

In all the essential elements of greatness John Marshall easily measures up to the highest ideals of a man, a patriot and a Judge, and the turning of the thought of the nation to the mighty work he wrought, and its lasting benefit to us and to mankind, will be an educational influence which cannot be overestimated. The contemplation of such a resplendent character cannot fail to be an inspiration to the manhood of America. The eloquent tributes which will be uttered on that memorable day will stir to its profoundest depths the heart of every thoughtful and patriotic citizen, and will strike a responsive chord wherever the rights of man are respected and justice sits enthroned.

E. B. SHERMAN.

* * *

(From William S. Hammond, Altoona, Pa.)

I received your letter of recent date proposing that February 4, 1901, be celebrated by the bench and bar of the United States as "John Marshall Day," and I write to express my approval of the movement, assuring you that I will do all I can to make the celebration a fitting memorial to our Nation's most distinguished jurist. The plan of celebration suggested by you I think is good, and with the aid of the American Bar Association I have no doubt of its success. I expect to attend the annual meeting of the American Bar Association at Buffalo, August next, where I shall be pleased to meet and confer with you and others of our profession interested in the project.

WILLIAM S. HAMMOND.

* * *

(From George W. Heiges, York, Pa.)

I congratulate you on your inspiration to bring about a celebration of "John Marshall Day," Feb. 4, 1901, and upon the recognition your idea has already received.

It is pre-eminently important that the youth of our beloved land in this money-getting and hero-worshipping age should have impressive object lessons of the lasting debt of gratitude they and the generations to follow them owe and shall ever owe to the framers of our immortal Constitution, among the latter John Marshall being the foremost and greatest.

I most heartily approve of your movement and sincerely hope it shall be crowned with the success it deserves.

GEORGE W. HEIGES.

(From Myer S. Isaacs, New York.)

I cordially commend the proposition for the celebration of "John Marshall Day," February 4th, 1901, as timely, patriotic and significant. No tribunal in the world is comparable with the Supreme Court of the United States. Its extraordinary powers under the Constitution make for Liberty and Justice; legislation adopted under stress of misguided public opinion is calmly and cautiously reviewed, and properly characterized, if in conflict with the Constitution. Appeals are heard with patience and without prejudice, and are considered wholly with reference to the law and the testimony, and decided authoritatively. Having in view the magnificent work of Chief Justice Marshall during his long period of service in the Supreme Court, the people of the United States should embrace the opportunity of declaring in the most emphatic manner their recognition of the great influence he exerted in perfecting the American judicial system.

MYER S. ISAACS.

* * *

(From Moses E. Clapp, St. Paul, Minn.)

Yours of July 24th is at hand, and would have been answered before but for my absence. I will do what I can to bring about the endorsement of the project.

MOSES E. CLAPP.

* * *

(From R. H. Wood, Charlottesville, Va.)

I am in receipt of your circular communication of July, 1899, enclosing an outline of your suggestions for the observance of "John Marshall Day," February 4th, 1901. I am in sympathy with the move, for I do not think that there is any man who had more to do with giving stability to our government than John Marshall. It seems to me that without such a mind and such a character to construe the Constitution, it would have been impossible for us ever to have had such a government as we now have; and I think it is proper that these facts should be kept fresh in the minds of our younger people.

R. H. WOOD.

* * *

(From Wesley Mollohan, Charleston, W. Va.)

Yours of the 24th ult., addressed to Hon. D. C. Westenhaver, as President of the West Virginia State Bar Association, has been enclosed to me, as I am now the President. I have read the circular setting forth the action of the Illinois State Bar Association in respect to a "John Marshall Day," and personally it has my hearty approval.

The annual meeting of our association will be held some time during the fall, the Executive Committee not having yet decided upon the exact date, and the matter will

then be presented to the association for action, and it is my judgment that it will receive the approbation and endorsement of the association.

W. MOLLOHAN.

* * *

(From Luther Laflin Mills, Chicago.)

Permit me to express to you my high appreciation of the suggestion which you have made to the people, and particularly to the lawyers, of the country, and which will, undoubtedly, be carried out, that the 4th of February, 1901—the one hundredth anniversary of the assuming by John Marshall of the Chief Justiceship of the Supreme Court of the United States—should be made a day of national celebration.

To the student of American history John Marshall appears as a colossal figure among the great men of the Republic—a mighty builder of its noble fabric, a soldier, a statesman, a leader among lawyers, the greatest of judges, the wisest judicial interpreter of the Federal Constitution. As the Chief Justice in times of dangerous political controversies, he did as much as any other man of our past to anchor the States in unity and nationality.

Of his life and work it is well that all the people should be reminded. He stood for the supremacy of the Federal Constitution; he was the foremost judicial exponent of the fundamental principles of our national existence. Every American should know the career of this great man, who is worthy to be a hero to every patriot.

The benefit to the mind and conscience of our citizens, which will come from the celebration of the proposed John Marshall Day, with all its educating and inspiring influences, may not be measured. On that day the people will receive abiding lessons of social duty; they will direct their thoughts to the salutary power of our system of laws, and especially to that of the Federal Supreme Court which among all the institutions of our government is the nation's strongest safeguard, and of which he, who will be the hero of the hour, was the wisest and greatest judge in its history; and they will renewedly recognize law as a defender of American liberty and more fully realize the truth that obedience to law, in this Republic, is the best guaranty of the welfare of the individual citizen, and the prosperity and permanence of the national life.

LUTHER LAFLIN MILLS.

* * *

(From Chas. H. Pennypacker, West Chester, Pa.)

Your circular letter has been received, and its suggestions receive my unqualified approval.

John Marshall was the cogent factor in making the American Republic possible to exist. His exposition of constitutional prin-

ciples, his definitions of the limitations and powers of this government which had emerged from a confederation of states, were strong and timely, and his opinion made the tribunal which he adorned respected at home and abroad.

CHAS. H. PENNYPACKER.

* * *

(From James DeWitt Andrews, Chicago.)

In reference to establishing a John Marshall Day, I desire to say that if the intention is to select the great Chief Justice as the exponent of the American Judiciary I heartily commend the plan.

If, on the other hand, the celebration is to be in any sense a personal one, intending directly or indirectly to exalt this learned jurist above all others and thereby eclipse rather than illumine the greatness of our other great jurists I should just as heartily disapprove.

The sentiment which he expressed was perhaps never more appropriate than at the present. I refer to his expression: "I have thought from my earliest youth till now, that the greatest scourge an angry heaven can inflict upon an ungrateful and a sinning people was an ignorant, a corrupt, or a dependent judiciary. Will you draw down this curse upon Virginia?"

I commend a project which tends to make the American people as familiar with the greatness of our judiciary as has other celebrations tended to familiarize them with the great patriots and statesmen of the nation.

JAMES DEWITT ANDREWS.

* * *

(From E. A. Otis, Chicago.)

I heartily approve your suggestion that the One Hundredth Anniversary of the appointment of Chief Justice Marshall be appropriately observed by the American Bar.

With due respect to the distinguished men who have preceded and followed him in that high office, none have exercised so wide an influence on our institutions and system of government.

When Marshall came to the Supreme Bench, our Constitution and Eleven Amendments were yet to be construed, and the lines between Executive, Legislative and Judicial powers to be marked out and established. Our present system of government had been in existence only eleven years, and less than one hundred cases had come before the Supreme Court of the United States, where one hundred and seventy volumes of reports have since been issued.

Every question that ever came before him was discussed with profound learning and ability.

We are, perhaps, indebted to Chief Justice Marshall more than to any other man living or dead, for the clearly defined lines

upon which our judicial system is upheld, and our Constitutional rights conserved and protected.
E. A. OTIS.

* * *

(From Isaac N. Blodgett, Franklin, N. H.)
The proposition for the celebration of “John Marshall Day,” February 4, 1904, meets my cordial approval and I shall be pleased to afford any aid within my power.
ISAAC N. BLODGETT.

* * *

(From James H. Raymond, Chicago.)
I have your favor of the 15th inst. It will give me pleasure to aid in any manner requested, both at the approaching meeting of the American Bar Association, which I shall attend, and subsequently, in furthering your proposition for a celebration February 4th, 1904, of “John Marshall Day.”

JAMES H. RAYMOND.

* * *

(From R. M. Bashford, Madison, Wis.)
Yours at hand relating to the celebration of “John Marshall Day” throughout the United States on February 4th, 1904, and the proposition meets my hearty approval. The plan outlined in your circular seems well calculated to provide for the proper observance of the occasion at Washington and throughout the land. It will tend to impress upon the people the great service John Marshall rendered the nation, and the importance of adhering strictly to those principles of constitutional government.

R. M. BASHFORD.

* * *

(From Charles M. Campbell, Denver, Colo.)
I heartily accord with every paragraph of the proposition formulated and submitted by you for the celebration of “John Marshall Day,” and adopted by the Illinois State Bar Association.

CHARLES M. CAMPBELL.

* * *

(From Benjamin Rice Forman, New Orleans.)

The proposition to celebrate the centennial anniversary of the induction into office of John Marshall as Chief Justice of the United States meets with my approval.

It is to be desired that the “Committee of the American Bar Association” who may be charged with dealing with his opinions on constitutional law, will mark and emphasize the points on which they have been overruled and departed from as well as those on which they have been followed.

B. R. FORMAN.

(From Reuben Hatch, Grand Rapids, Mich.)

Your favor in reference to the celebration of “John Marshall Day” February 4, 1904, is received.

I approve of the plan proposed and should be very glad to see it carried out.

REUBEN HATCH.

* * *

(From Ogden H. Fethers, Janesville, Wis.)

At the suggestion of my friend Chief Justice Cassoday I send my hearty approval of your noble effort looking toward the observance of “Marshall Day.” Our profession should have at least one day in the year for common observance and none can be more fitting than the day upon which our greatest law-giver was elevated to the world’s greatest judicial dignity. When February 4, 1904, shall come I trust that you will present a plan to make that day a permanent yearly festival.

Permit me to congratulate you, not only upon the inception, but on the certain fulfillment of your effort to honor the memory of Marshall.

OGDEN H. FETHERS.

* * *

(From S. S. Gregory, Chicago, Ill.)

I beg to say that I entirely approve your suggestion to duly commemorate the Centennial Anniversary of the accession of John Marshall as Chief Justice of the United States. Great in talents and in opportunity, as Washington was the Father of his country, Marshall was the father of American Constitutional law. Indeed while he has often been compared to the great magistrates who have presided in the Courts of England, his just fame and mighty achievement far surpass what can properly be claimed for the greatest of these. It can probably truthfully be said that no one man, with the possible exception of Justinian, has exercised so wide and far reaching an influence upon the Jurisprudence of Caucasian Civilization.

Nor is this influence ephemeral or temporary. As our constitution seems to combine in such an excellent degree the principles of Imperial unity and local self government, it must ever be a model to which other States shall aspire as Republican institutions prevail and extend throughout the world; and it was in the discussion and just regulation of the contending forces in this system, that Marshall rendered his most conspicuous service and left the records of those great judgments which not only sustained the conclusions of his Court but convinced and informed the reason of mankind.

It is fitting that the Bar of America, of which he was a distinguished member, should take the initiative in this matter.

Nor is it inappropriate that it should originate in Illinois. She is indeed a daughter of Virginia, and Abraham Lincoln, her im-

mortal son, whom, in person and in a certain sort of popular simplicity, Marshall much resembled, was descended from the sons and daughters of that State.

I have no doubt the American Bar Association, will at its approaching session, take suitable action upon your suggestion and make preliminary arrangements for the commemoration of this important anniversary; and I think we all may well feel grateful to you that, under a happy inspiration, you have directed the attention of the profession to this most interesting subject.

S. S. GREGORY.

* * *

(From Ephraim Banning, Chicago.)

You are entitled to a vote of thanks from the American Bar generally for your suggestion with reference to the celebration of John Marshall Day, February 4, 1901; and I sincerely hope that, the American Bar Association taking the lead, the day may be celebrated in a way that will show a grasp and appreciation of your suggestion that will be more pleasing and complimentary than any vote of thanks that could be adopted by all the bar associations in the country. As a lawyer you have said and done many good things, but, in my judgment, you have never said or done anything that in its importance and far reaching influence begins to equal this proposition on your part.

As a member of the American Bar Association, I sincerely hope that body will take strong action in favor of your proposition and do everything in its power to make the celebration worthy of the great occasion which it commemorates.

EPHRAIM BANNING.

* * *

(From John M. Smedes, Cincinnati, O.)

I received your letter some few days since, in regard to the proposed "John Marshall Day," Feb. 4, 1901.

The work of Chief Justice Marshall, like that of every other man, was in part permanent and in part transitory; the permanent part will endure and needs no occasion of this kind to give it efficacy.

There is one feature of the Chief Justice's character which is very frequently lost sight of to-day and that is to my mind his strongest trait—his incorruptible integrity. In these days when judges are made for the purpose of carrying out the wills of individuals and of corporations it is well to emphasize in the character of that great lawyer and judge the fact that the law was to him a pearl above price and private interests and private views had no weight whatsoever where the glory and majesty of the law were involved.

I think the most enduring work of John Marshall will arise from the fact that amid

all the tempest and turmoil of the most venomous political strife which this country has ever seen no one to-day can accuse him of deviating from the right or of lending his high judicial office for the purpose of advancing the political fortunes of his friends or of his friends' friends.

An emphasis on this feature of his character and public work, in these days of judicial uncertainty, would be of more value than all the laud and praise and commendation on the magnificence of his decisions.

My mother knew the Chief Justice and was often at his house in Washington and I have often heard her talk of his simplicity and earnestness, and he and the rest of his family always ascribed to his father, Col. Thomas Marshall, more ability than the Chief Justice had, but it was the sterling integrity of the Judge in all his career which I think should be emphasized in whatever proceedings will be taken on the "John Marshall Day." Let that trait of his character be held up to the admiration of the bench, the bar and the youth of the land and great and lasting good will come from this memorial occasion.

JOHN M. SMEDES.

* * *

(From R. W. Breckenridge, Omaha.)

I am in receipt of a statement of a proposition formulated by you and submitted to the Illinois State Bar Association at its recent meeting, for the celebration of February 4th, 1901, as "John Marshall Day." The idea appeals to me very strongly and if it meets with anything like general approbation I shall be very glad to do what I can to interest our local bar association in the project.

R. W. BRECKENRIDGE.

* * *

(From A. B. Cummins, Des Moines, Iowa.)

I have your letter with respect to the celebration of "John Marshall Day." I am in hearty sympathy with the proposal, and whatever I can do to aid in carrying out the plan will be gladly done. The people of the United States could do no more fitting thing in the early days of the Twentieth Century than to pause and reflect upon the virtues of a man who more than any other one man gave to the Constitution fullness, strength and symmetry; not, indeed, as an author, but in the more difficult and, if possible, more honorable office of expounder.

A. B. CUMMINS.

* * *

(From Morris M. Cohn, Little Rock, Ark.)

I beg to acknowledge the receipt of your favor of the 24th of July, relating to the observance of a "John Marshall Day." I do not see how any lawyer in this country can object to the observance of a day, commemorative of that great judge. And as I claim

to be a lawyer I am heartily in accord with the sentiments contained in the resolution which, at your instance, has been adopted by the Illinois State Bar Association upon that subject.

MORRIS M. COHN.

* * *

(From Thomas Dent, Chicago.)

The proposition which you submitted to the Illinois State Bar Association with reference to making Monday, February 4, 1901, "John Marshall Day," to commemorate by special exercises the close of the first century from the time of his taking his seat as Chief Justice, is quite far reaching. I have no doubt that the movement is timely, and that, speaking in general terms, it will meet with much approval, and will be made the occasion of conveying useful lessons to the older as well as to the younger members of the Bar, and to our people generally, who can not know it too well nor appreciate too highly the lofty character and great services of Chief Justice Marshall.

The pen of history has recorded in indelible letters many fair names, distinguished for high attainments, wisely employed, and for noble achievements evincing greatness of mind, heart and will. Happily a considerable number of these have been nurtured by our good soil, here in America, some when Provinces submitted to kingly rule, and others under a government more synonymous with liberty, a liberty regulated by law, ordained and cherished by the people. Among all these the name of John Marshall is worthy of inscription upon one of the chief pedestals, yes, upon the keystone of a grand arch, as that of a mighty master architect and builder of our constitutional framework. While this endures, his name must be entwined with it.

THOMAS DENT.

* * *

(From D. K. Young, Clinton, Tenn.)

I most cordially endorse the proposition for the celebration of "John Marshall Day" February 4, 1901. John Marshall, the ripe statesman, the great lawyer, and the matchless judge, deserves to be remembered and honored by the whole American people. His opinions upon great questions of law and especially upon Constitutional law, will ring down the ages and will be authority so long as the world has an English speaking people. This legal giant stands in heroic mould, in bold relief high above all lawyers and judges that have appeared upon legal forum for the past one hundred years if not for all the ages of the past.

D. K. YOUNG.

* * *

(From Charles Martindale, Indianapolis.)

I have read with pleasure your proposal for the celebration of "John Marshall Day"

February 4, 1901, which meets with my hearty approval. I shall take pleasure in voting for the proposal should it be brought forward at the ensuing meeting of the American Bar Association.

Surely every lawyer appreciates the debt of gratitude which the nation owes to the great Chief Justice whose wisdom was ample for the great tasks laid upon him and whose courage was equal to his wisdom. In our public schools where civil government is a part of the course of study I find that the name of Marshall is not unknown to the students and it is my belief that the celebration of his achievements will be as welcome in the public schools as in the colleges and law schools.

CHARLES MARTINDALE.

* * *

(From J. J. McCarthy, Dubuque, Iowa.)

Your note of recent date concerning the appropriate observance of the 100th anniversary of the elevation of John Marshall to the position of Chief Justice of the Supreme Court of the United States, came duly to hand. I have carefully noted the resolutions adopted by the Illinois Bar Association on the subject.

The history of John Marshall is a history of the first third of the present century. He was a soldier, legislator and jurist. In the latter capacity he excelled. His logic was as clear as his character was pure. His interpretation of the Constitution gives him a lasting place with the greatest of the many great lawyers of the old school. He saw legal principles in the clear sunlight of a summer's morning, while others saw them only in the haze and the moonlight.

Yes, I say, let every court house and every school house in the nation on February 4th, 1901, be dedicated to an enthusiastic celebration of John Marshall Day. Nothing, in my opinion, can do more for the cause of legal education and higher and nobler purposes of bench and bar.

I shall not be present at the meeting of the American Bar Association, to be held in August, this year. I would favor a plan by which every bar association should meet upon February 4th, and arrange in advance to have papers read by members touching the life, character and works of the great man. I would ask the writers to draw such inferences and conclusions as to them might seem just. Let the scope of the papers be as broad as one might desire, but papers to be limited to 2,500 to 3,000 words. I would adopt the same plan for every school house in the land. In this manner we can perpetuate the memory of one whose fame is as enduring as that of the Constitution itself.

J. J. MCCARTHY.

"JOHN MARSHALL DAY."

(From J. M. Parsons, Rock Rapids, Iowa.)

Your communication in reference to "John Marshall Day" received. In reply will say that I heartily endorse the action of the Illinois State Bar Association with reference to commemoration of the 100th anniversary of the day this great jurist and statesman took his place as Chief Justice upon the Supreme Bench of the United States.

To Marshall, perhaps more than to any other one man, with the possible exception of the great Washington himself, was our experiment of a constitutional Federative Republic made a success. It was the constant hammering of Chief Justice Marshall which welded union so that it has been able to sustain wrenches which would have torn asunder and destroyed almost any other government which undertook to govern so great an extent of territory with such divergent interests in the different parts of the same.

In the event of my being present at the meeting of the American Bar Association at Buffalo, should your proposition come before that body, I will take pleasure in supporting it.

J. M. PARSONS.

* * *

(From James Pirtle, Louisville, Ky.)

I beg to acknowledge the receipt of your communication addressed to the Bar of the United States in reference to the celebration of John Marshall Day.

It will give me great pleasure to participate in the celebration to do honor to the memory of John Marshall. The Bar of the United States still looks to him as the greatest of Judges. He has been succeeded on the Supreme Bench by many very great men, but his pre-eminence is not questioned.

One of the most interesting addresses made before the American Bar Association is that of Edward J. Phelps, many years since, upon John Marshall.

The occasion should draw together a full and representative assembly of the lawyers and judges of the United States and make the day one whose influence will be felt far into the next century, and perhaps through all time, as the influence upon our institutions of John Marshall certainly will be.

JAMES S. PIRTLE.

* * *

(From J. W. McLoud, South McAlester, I. T.)

I fully approve of the proposition to celebrate John Marshall Day February 4th, 1901. Chief Justice Marshall did more than any statesman to strengthen the National Government, to enlarge and make practicable the national constitution, to preserve and give stability to all chartered institutions and to preserve inviolable the obligations of contracts.

J. W. McLOUD.

(From Albert A. Baker, Providence, R. I.)

Your communication in reference to "John Marshall Day" received. I approve of the proposition. In practical ability and accomplishment I believe John Marshall was the greatest judge that ever lived, and that no judge since has been privileged to accomplish a life work of such far reaching importance.

ALBERT A. BAKER.

* * *

(From C. Floyd Huff, of the Arkansas Bar, Hot Springs, Ark.)

It is with pleasure that I add my endorsement to your proposition for the celebration of "John Marshall Day." I was recently one of the delegates to the Commercial Law League, that met at Asbury Park, and I voted for a resolution endorsing this day as a day to be celebrated by lawyers all over the country, and will be glad to see it done.

C. FLOYD HUFF.

* * *

(From Darius H. Pingrey, Bloomington, Ill.)

Your circular is before me. I most cheerfully concur in celebrating "John Marshall Day." Your suggestion is very opportune, for which the Bench and the Bar should thank you. We all recognize John Marshall as one of the greatest jurists of the world. His decisions crystallized constitutional liberty, which to-day is shared by every citizen of our Republic. Before his construction of the Constitution it was an instrument of glittering phrases couched in admirable diction; after, it is an instrument of profound meaning, which is the basis of our republican institutions and of the people's liberty.

I shall be ready to co-operate to the best of my ability.

DARIUS H. PINGREY.

* * *

(From E. K. Sumerwell, New York.)

Your favor of 18th regarding the "John Marshall Day" duly received. I have read with great interest the circular enclosed and fully approve your suggestions and believe it will be favorably received by the Commercial Law League.

E. K. SUMERWELL.

* * *

(From J. W. Douglass, Washington, D. C.)

Your proposition for a "John Marshall Day," with the printed slip explaining its purpose and possible scope, is received. The suggestion will no doubt meet with the hearty and loving support of the Bar of the United States.

To Marshall we owe largely our broad and deep constitutional Federal conditions. While I write I have before me a fine representation of his grand head and gentle,

dignified mien. Nature had furnished him with every equipment of mind and body to fill with grace the high position he held, and to accomplish the great results of his famous judicial career.

I hope and believe that the A. B. Ass'n will adopt and push your happy and patriotic suggestion.

J. W. DOUGLASS.

* * *

(From Smeltzer V. Kemp, Bedford City, Va.)

Your communication, with enclosures, concerning the celebration and commemoration of February 4, 1901, as "John Marshall Day" is at hand. The action which you inspired the Illinois State Bar Association to take I think is most commendable, and it is my impression that you will find the Virginia Bar eager to lend their support in perfecting the plans suggested. If there is one great lawyer more than another to whom the legal profession of this commonwealth points with pride it is that conscientious and invulnerable upholder of the Constitution whose memory you desire to keep fresh in the minds of the people of the land. You may, I think, rely on the lawyers of this State to give their full share of encouragement to your very laudable purpose.

SMELTZER V. KEMP.

* * *

(From Jas. H. Webb, New Haven, Conn.)

I have recently received by mail, a printed circular setting forth your proposition for the celebration of "John Marshall Day" recently adopted by the Illinois State Bar Association. The idea seems to me to be a most happy one, and I trust it will receive the powerful support of the American Bar Association at its annual meeting so soon to be held at Buffalo. The effect of a national testimonial of gratitude for the services of this great judge, such as you propose, would be well worth all the effort it costs.

JAMES H. WEBB.

* * *

(From David W. Yancey, Commissioner to the Five Civilized Tribes, Muskogee, Indian Territory.)

Your "John Marshall Day" circular was received this morning. I think that the legal profession of America should have a Day distinctively their own, and I know of no better name that could be selected for it, than that of our greatest jurist, thereby "making the name of Marshall a household word throughout the land."

DAVID W. YANCEY.

* * *

(From Francis J. Swayze, Newark, N. J.)

I heartily approve of your proposition to celebrate "John Marshall Day" on February

4th, 1901. I am very glad indeed that you have taken up the matter.

F. J. SWAYZE.

* * *

(From C. Suydam Scott, Lexington, Ky.)

I acknowledge with thanks and appreciation your suggestions as to "John Marshall Day."

It seems to me eminently fit that this greatest of judges should be specially remembered by us on the centennial of the beginning of his paramount work.

C. SUYDAM SCOTT.

* * *

(From Wm. S. Windle, West Chester, Pa.)

Your proposition for the celebration of "John Marshall Day," February 4, 1901, I heartily endorse.

* * *

(From F. W. Stevens, Grand Rapids, Mich.)

I am advised that a proposition will be submitted to the American Bar Association at its next meeting, to celebrate "John Marshall Day." I have been requested to express my views to you on the subject. It strikes me that the proposition is a good one, and anything I can do in this vicinity to further it, I shall do very gladly.

F. W. STEVENS.

* * *

(From Henry T. Rogers, Denver, Colo.)

I heartily approve of the proposition for the celebration of John Marshall Day, on Feb. 4, 1901, and will be glad to co-operate, so far as I am able to do so, in any plans that may be arranged for the event.

HENRY T. ROGERS.

* * *

(From Gilbert S. Hawkins, Bel Air, Md.)

I am in receipt of your letter requesting me to consider your proposition in reference to "John Marshall Day," and in reply will say that I am heartily in accord with your plan and as a member of the Bar and a citizen of the United States I most sincerely endorse your idea to commemorate the great event, which gave to this Republic so powerful and logical a mind as Chief Justice Marshall possessed.

GILBERT S. HAWKINS.

* * *

(From Duncan U. Fletcher, Jacksonville, Fla.)

Your proposition looking to the celebration of February 4th, 1901, as "John Marshall Day," the event of John Marshall taking his seat in the Supreme Court of the United States, is very appropriate as well as commendable in all its details. We should

"JOHN MARSHALL DAY."

pause at this century mark and pay fitting tribute to his memory and express appreciation for his great work. I trust your efforts will receive the endorsement of the American Bar Association and all public spirited citizens everywhere. D. U. FLETCHER.

* * *

(From Walter I. Dawkins, Baltimore, Md.)

I have received your communication in reference to the proposed celebration of "John Marshall Day." The same meets with my very heartiest approval, and I therefore hasten to reply. If there were anything possible for me to do to aid in the celebration, I should most cheerfully do it. This great statesman and jurist has always had my admiration. I wish you the fullest measure of success in the effort you are making to perpetuate the memory of John Marshall.

WALTER I. DAWKINS.

* * *

(From S. S. Wheeler, Lima, Ohio.)

I heartily concur in the suggestions and resolutions for a "John Marshall Day." His decisions are a text-book upon every subject he touched; and every lawyer ought to be proud of his work, and every American citizen ought to be grateful for the interpretation and strength he gave to our Constitution. Every department of our government cannot too highly honor the memory of John Marshall. I should be very glad to assist in any way possible.

S. S. WHEELER.

* * *

(From F. C. Winkler, Milwaukee, Wis.)

A thoughtful observance of "John Marshall Day" as outlined on your motion by the Illinois State Bar Association would, in my judgment, be highly creditable to the Bar of the United States, tending to direct public thought to the higher ideals of American statesmanship. I approve it heartily.

F. C. WINKLER.

* * *

(From R. S. Woodruff, Pres't Judge Common Pleas, Trenton, N. J.)

I heartily approved of the action of the Illinois State Bar Association in relation to the celebration of "John Marshall Day" and I feel quite sure that the American Bar Association will endorse, with earnestness, the proposition.

It appeals to every lawyer in the country, and should receive his enthusiastic support.

R. S. WOODRUFF.

(From Gustave A. Wolf, Grand Rapids, Mich.)

Your proposition to inaugurate "John Marshall Day" I think deserves the approval of the entire bench and bar.

One benefit to be derived from the general celebration proposed each year, will be to hold up the ideal judge and lawyer before the whole country, and help regain that popular respect for the profession, which seems of recent years to have been somewhat on the decline.

The luster of the name and fame of the immortal jurist will certainly reflect a kindly light upon those who struggle to follow in his footsteps.

G. A. WOLF.

* * *

(From R. W. Williams, Tallahassee, Fla.)

Your communications in reference to "John Marshall Day" received.

The proposals therein contained have my approbation, and if the result thereof shall be to make it more certain "that constitutional government shall remain with us in its full and unimpaired strength, in the twentieth century and through the centuries to come," the people of this country will be the beneficiaries, and the bench and bar of the United States will be fully repaid.

R. W. WILLIAMS.

* * *

(From George W. Radford, Detroit, Mich.)

The proposition contained in your circular just received for the celebration of "John Marshall Day," meets with my most hearty approval. If the plan is carried out it certainly will prove a lasting benefit to, not only our profession, but to the entire people of the United States. There has never been in the entire judiciary of the world, a more colossal and magnificent mind than that of John Marshall. The historical epoch and long extended service furnished him the period in which he created a mental monument which his countrymen should by all means suitably decorate upon the centennial of his accession to the Supreme Bench. The plan outlined by you is certainly most appropriate.

GEORGE W. RADFORD.

* * *

(From W. H. Farnsworth, Sioux City, Ia.)

I am in receipt of your circular requesting consideration of the proposition to commemorate "John Marshall Day." This is a splendid idea and should be taken hold of by the lawyers of this country with great interest. The times need some exemplification of the great work of Judge Marshall in expounding the constitution of the United States. I heartily approve your plan and shall be pleased to assist in any way possible.

W. H. FARNSWORTH.

(From L. Frank Ottofy, St. Louis, Mo.)

I beg heartily to commend your proposition to honor the name of Chief Justice Marshall.

It will be a fitting tribute to the sterling worth of one of the most ardent supporters of the constitution. It is hoped, also, that the lesson of his ennobling, fearless character may kindle an everlasting flame of independent thought and spirit in the judiciary of the nation.

L. FRANK OTTOFY.

* * *

(From Alexander New, Kansas City, Mo.)

I beg to acknowledge receipt of the pamphlet with reference to the proposition originated by you, having as its object the celebration of "John Marshall Day." The proposition, and the efforts that are being made, are certainly characteristic of your usual energy and patriotism.

I expect to attend the meeting of the American Bar Association, and shall be pleased to render you what assistance I can.

ALEXANDER NEW.

* * *

(From Philip Lindsley, Dallas Texas.)

The proposition for the celebration of "John Marshall Day" Feb. 4, 1901, has now my hearty approval, and, at the proper time, will have all the aid I can give it. Such a celebration will be like injecting new blood, from the purest source, into the professional veins of the country.

PHILIP LINDSLEY.

* * *

(From Thos. J. Pereles, Milwaukee, Wis.)

I acknowledge receipt of your circular letter in re celebration of "John Marshall Day" on February 4, 1901. The same meets with my hearty approval.

THOS. JEFFERSON PERELES.

* * *

(From M. Norris, Grand Rapids, Mich.)

I am in receipt of your communication as to the celebration of John Marshall Day. In my judgment such a celebration would be a worthy commemoration of Marshall's assumption of the judicial ermine.

M. NORRIS.

* * *

(From John Morris, Jr., Fort Wayne, Ind.)

I believe it to be well and fitting that the 4th day of February, 1901, be observed as "John Marshall Day" by the Bench and Bar of the country in accordance with your proposition adopted by the Illinois State Bar Association.

JOHN MORRIS, JR.

(From C. S. Montgomery, Omaha, Neb.)

Your proposition for the celebration of "John Marshall Day," forwarded to me with your recent favor, has interested me greatly. It is very broad in its scope and necessarily involves much time and labor of many persons, but, nevertheless, it seems practicable and can doubtless be carried out if the American Bar Association will endorse and the proper men will agree to manage it. Doubtless, the effect of the proposed celebration, if successfully prosecuted upon the lines which you suggest, will be of lasting benefit, not only to the legal profession, but to the whole people.

The plan, therefore, has my approval, and I will be glad to act accordingly.

C. S. MONTGOMERY.

* * *

(From U. S. Lesh, Huntington, Ind.)

I am in hearty sympathy with your proposition to celebrate "John Marshall Day," and am willing to contribute my mite in furtherance of the scheme.

U. S. LESH.

* * *

(From Burr W. Jones, Madison, Wis.)

I heartily concur in your proposition for the celebration of "John Marshall Day."

BURR W. JONES.

* * *

(From Jno. H. Dinneen, Baltimore, Md.)

I heartily favor the proposed movement to do honor to the judicial labors of Ch. J. Marshall, and if I attend the approaching meeting of the American Bar Association, I shall advocate there the resolution proposed.

JNO. H. DINNEEN.

* * *

(From Morris Brandon, Atlanta, addressed to Sec'y Hinkley.)

I wish to endorse fully the proposition for the celebration of John Marshall Day on February 4th, 1901, by the lawyers of the country, and I trust that the celebration will take place as proposed.

MORRIS BRANDON.

* * *

(From John C. Avery, Pensacola, Fla.)

I heartily approve of the plan proposed by you for celebrating, in a fitting way, "John Marshall Day" on February 4th, 1901.

JOHN C. AVERY.

* * *

(From S. H. Allen, Topeka.)

Your letter of the 24th ult., inclosing circular proposing a celebration of John Marshall Day on Feb. 4, 1901, was duly received. While I am no longer president of the State Bar Association, having been succeeded by

C. C. Coleman, Esq., of Clay Center, it will afford me pleasure to call the matter to the attention of the next annual meeting if held prior to the date you name. The annual meetings are usually held in January. It would probably be well for you to correspond with Mr. Coleman also.

S. H. ALLEN.

* * *

(From W. P. Stafford, St. Johnsbury, Vt.)

Your letter of 24th inst., to Hon. E. T. Waterman, as Pres. of the Vt. Bar Asso., has been referred to me as the President of that association for the current year, Mr. Waterman's term having expired last October.

I am in hearty accord with the plan and views set forth in the resolution and beg to be permitted to do all that I may in furtherance of the project. Our next meeting will be in October—later than the meeting of the American Bar Association, so that as an association we shall not be able to join in the memorial to the American Bar Association, but I am sure we shall wish to take whatever action may be helpful when we do meet.

I shall be grateful if you will keep me informed of the progress of the enterprise and of the ways in which we of the Vt. Bar can be useful. I may not be able to attend at Buffalo.

W. P. STAFFORD.

* * *

(From John D. Milliken, McPherson, Kan.)

I am in receipt of your circular letter of the 24th inst. relative to the project of having a John Marshall memorial day for the purpose, first of exciting a deeper interest in the study of constitutional law, and second, to honor this profound judge, lawyer and logician. The scheme is meritorious, but I am not so sanguine of its success, however. I am in favor of every forward movement and will be glad to contribute my small part to the accomplishment of the much desired purpose. Wishing you success, I am, with assurances of regard,

JOHN D. MILLIKEN.

* * *

(From F. C. Dillard, Sherman, Texas.)

On my return from Galveston I found on my desk your favor of the 21st inst. I regret that it did not reach me sufficiently early to present at the late meeting of our Bar Association which closed its session for this year yesterday afternoon. With the close of this session my term of office as President has expired. Hon. Presley K. Ewing, of Houston, has been elected to the presidency for the ensuing year, and I forward him your letter and proposition.

The movement you inaugurate has my hearty sympathy, and I trust will prove a

great success. In these days when it has become too common in many quarters to find fault with the Supreme Court, even by lawyers of standing and ability, and when we are too frequently led away from conservative views by the passion of the hour, anything which can recall us to the great work done by that body, and especially to the principles underlying and sustaining the constitution so clearly and forcibly enunciated by Chief Justice Marshall should be encouraged by all lawyers who love their country and institutions. F. C. DILLARD.

* * *

(From Chas. E. Gast, Pueblo, Colorado.)

I think the entire legal profession is indebted to you and the Illinois State Bar Association for the initiative in proposing and formulating a plan for commemorating the judicial career of Chief Justice Marshall. I especially approve the suggestion that February 4, 1901, the centennial anniversary of his elevation to the Supreme Court bench, should be fittingly observed in all the Public Schools throughout the country by exercises appropriate to the occasion and calculated to make his name as familiar to all school children as that of Washington, Lincoln and Grant. As a constructive jurist in the field of constitutional law, his services to the Republic were quite as valuable as those of any other distinguished American, and I know of no reason why the American people should not honor their great judges in the same universal sense that they honor their great presidents and generals.

If the plan proposed is carried out on broad lines, as it should be, February 4, 1901, will be historical. CHAS. E. GAST.

* * *

(From P. W. Meldrim, Savannah, Ga.)

Your circular, in the matter of "John Marshall Day," received. I have only to say, that as at present advised, the suggestion meets my fullest approval. While the celebration of the day would be proper as a tribute to the memory of Marshall, yet the greater benefit will come from impressing upon the public mind and heart the lessons of government, which I sometimes fear our people are forgetting. P. W. MELDRIM.

* * *

(From Henry H. Ingersoll, Knoxville, Tenn.)

In response to your July communication on John Marshall Day, it gives me pleasure to express my approval of the idea and of the general plan of celebration, and I hope that the meeting may be held and may be worthy of the great Chief Justice and above all that it may result in impressing the present generation of Americans with the supreme importance of that for which John

Marshall stood—the Dignity, the Majesty and the Sovereignty of the law.

HENRY H. INGERSOLL.

* * *

(From James H. Hayden, Washington, D. C.)

In reply to your communication of July, 1899, with regard to the celebration of John Marshall Day, I beg to say: The proposition is a most admirable one, and I am sure that it will receive the cordial approval of the American Bar Association. You may depend upon it that all Washington lawyers will do their utmost to make the occasion one which will do full justice to Marshall's memory and which will reflect credit upon the American bar.

JAMES H. HAYDEN.

* * *

(From C. A. Dudley, Des Moines, Iowa.)

Your circular relative to the "John Marshall Day" is received. Your proposition is a very timely one, and if the day can be observed as you suggest, it will do much to reawaken an interest in constitutional government and also to establish it in the confidence of the people at large. If one-half of the results hoped for can be secured by the observation of the day as you suggest, it will do much to disprove the many and frequent charges made by a certain class of speakers to the effect that Republican and constitutional government is a failure. It is my present intention to attend the meeting of the American Bar Association, and I shall take pleasure in advancing the proposition you suggest to the extent of my ability.

C. A. DUDLEY.

* * *

(From Lynde Harrison, New Haven, Conn.)

I certainly approve your proposed celebration of John Marshall Day on the 4th of February, 1901.

I think the members of the Bar of Connecticut will endorse the action of the Bar Association of your State; and I think that many of our profession in this State will be glad to attend a general celebration of the day. Doubtless some appropriate action will be taken within the borders of Connecticut at that time if Congress and the Supreme Court of the United States shall determine that the day shall be appropriately celebrated. There is no man who has ever lived in our country since the adoption of the Federal Constitution who has had so much to do with making that Constitution in its construction, the admirable instrument of our government that it is, as John Marshall.

LYNDE HARRISON.

(From Wm. A. Meloy, Washington.)

Since "John Marshall Day," which you propose shall be celebrated with all due honors, there has not arisen a judge upon the American Bench to surpass, if even to equal the great Chief Justice for the legal, mental and moral qualities which shone so resplendent in him, and which are the *sine qua non* of the perfect judge.

The quick and powerful grasp, and the logical clearness of his mind were equalled by the plain simplicity of the man and the unvarying sweet courtesy and kindness of the Christian gentleman without large measure of which no man is truly qualified to be a judge. Next to the worth of those who wrote our Declaration of Independence and our Constitution, is that of him who by his wise judicial opinions and interpretations gave that instrument its fullness and power, its breadth and flexibility—breathed into it the breath of life so that it became a living soul to guide and develop as well as restrain this great nation. What would have been the fate of the great Republic had some narrow minded legal martinet sat in Marshall's seat during the first quarter of the century?

All honor then to the great Chief Justice. To study and to proclaim his characteristic traits, virtues and services cannot fail to awaken and strengthen every patriotic virtue among our people and I shall be most happy to support your proposition in the next session of the American Bar Association.

WM. A. MELOY.

* * *

(From T. J. Johnston, New York City.)

Your memoranda concerning Marshall Day came to-day while I was engaged in examining the decision in *McCulloch v. State of Maryland*. Under these circumstances I could hardly refuse to add my word of commendation to a proposal to commemorate the great Chief Justice in the way you suggest.

I can imagine no man's work which it is more important to study at the present time, when many of our Courts, including Courts of the United States, have in the judgment of some of us, departed so far from the spirit and the law of the document which John Marshall assisted so much in construing and establishing. Certainly the proposition is most meritorious and I will be glad indeed to see it fully carried out.

T. J. JOHNSTON.

* * *

(From W. P. Hubbard, Wheeling, W. Va.)

The suggestion made by you and adopted by the Illinois State Bar Association that the centenary of Marshall's taking his seat as Chief Justice be celebrated throughout the country on February 4, 1901, as "John Marshall Day," meets my hearty approval.

and I am sure will commend itself to the bar and people of this State. No doubt the American Bar Association at its meeting in Buffalo in August will take the proper steps to carry the project to a successful termination. There will be no opportunity to bring the matter to the attention of our State or County Bar Association before the meeting of the American Bar Association. Our State Association usually meets in the winter, and no doubt will, at its next session, second in every possible way such action as may be taken by the American Association.

W. P. HUBBARD.

* * *

(From Robt. R. Baldwin, Chicago.)

I favor your proposition.

It is not the least of our debt to Washington that he guided the deliberations of the convention that framed our charter of liberty, but the work of this high minded body of men would have been as children's names written in the sand, but for the calm deliberations, marvelous insight and patriotic devotion of those jurists who have rewritten it on the hearts of their countrymen. Any date which seems to mark the beginning of their labors is worthy of celebration and to cluster the glory of it around the head of John Marshall is only just recognition of the pre-eminent character of his work and does not detract from the honor due to the less conspicuous labors of others. In honoring him, all are honored. Let us show that republics are not ungrateful. Let us inculcate in the minds of the young appreciation of the triumphs of peace.

ROBT. R. BALDWIN.

* * *

(From W. H. Bryant, Denver, Colo.)

I have received your communications concerning the celebration of "John Marshall Day" February 4th, 1901.

I have always maintained that we had three men who were more responsible for the American government as it exists today than all the rest of the statesmen the Revolution produced. These three men were Washington, Marshall and Hamilton. It has sometimes been a difficult thing for me to decide to whom the greatest praise of these three should be given. Feeling that way of course I can only say that I will cheerfully join and give my approval to any celebration which tends to perpetuate the memory and recall the deeds of any of these three men. I think it particularly appropriate that the lawyers of the country should pay whatever tribute can be paid to the memory of John Marshall, and you can count upon my assistance and have my approval of any celebration that may be agreed upon.

W. H. BRYANT.

* * *

(From John F. Burke, Milwaukee.)

Your proposition regarding "John Marshall Day" meets my most hearty approval. I will gladly do all that I can to advance and encourage it.

The highest service a lawyer can render the State is to do his best to upbuild and uphold its jurisprudence and judiciary and the faith and the hope of the people therein. In no manner can this be better accomplished than by teaching them the priceless services rendered civilization by John Marshall, the greatest jurist the Anglo-Saxon race has produced, at least in this country, if not in the world. JOHN F. BURKE.

* * *

(From William P. Breen, Fort Wayne, Ind.)

I have your circular, containing a proposition for the celebration of "John Marshall Day" on Feb. 4, 1901.

I am in hearty accord with this proposition.

We are becoming indifferent to the memories of the great men who builded our government and its institutions. Such a tribute to John Marshall, the great interpreter of the Federal constitution, would be eminently fitting, and would stem the tide of indifference. Thoughtful citizens, and above all, the lawyers of the land, would rejoice in honoring the genius and work of Marshall.

WILLIAM P. BREEN.

* * *

(From H. P. Judson, Dean of University of Chicago.)

I am in receipt of your communication with enclosure with regard to John Marshall Day. The suggestion strikes me as a very excellent one, and I hope it will be carried out. You can certainly count on the University to cooperate in the undertaking of the Bar Association. H. P. JUDSON.

* * *

(From Prof. Herman von Holst, Chicago University.)

Cottage Bellemery,
Upper Nashota Lake, Wis.

Many and great are the services rendered by John Adams to his country. If I were to be asked which of them I consider the greatest and most far-reaching, I should answer, without a moment's hesitation, the nomination of John Marshall to be Chief Justice of the United States Supreme Court. This opinion is not likely to be endorsed by the vox populi, if vox populi be understood to mean the masses. The part played by Marshall in the evolutionary history of the United States appeals but very little to the popular imagination, and to form anything like an adequate conception of it presupposes an amount of legal, historical and

political erndition which, in the nature of things, the masses cannot possess. From this, however, no inference is to be drawn as to the necessity of opening also the eyes of the masses to the character and import of this part; they stand in an inverse ratio. For the future of the Republic is secured against peradventure only if, not merely the bench and the bar, but also the whole people are thoroughly imbued with the principles forming the bed rock on which John Marshall's judicial opinions on constitutional questions are reared with unerring logic and true constructive statesmanship—as instinct with sound adaptation to the ever developing needs evolved by the irresistible rapid progress of the Commonwealth on all lines of civilization, as it is implacably conservative in regard to the basic ideas of right, law and policy, on which its founders chose to put it.

Holding these views it goes without saying that I hope and trust the American Bar Association will at its next session in Buffalo, N. Y., follow the example set by the Illinois State Bar Association, i. e., unanimously adopt your proposition in regard to "John Marshall Day" February 4th, 1901.

H. E. von HOLST.

* * *

(From Edward J. James, Chicago.)

I see from the papers that you are interested in the celebration of the anniversary of Marshall's taking his seat as Chief Justice of the United States Supreme Court. I think you deserve the thanks of all persons interested in our legal, constitutional and political history. In my work as professor of Political Science in the University of Pennsylvania and in the University of Chicago I have been impressed in an ever stronger way with the significance of Marshall, not merely for the development of our own political and constitutional law, but for the development of public law in general in all countries. I desire to be counted among the friends of this movement which you have started. I think that the leading jurists and publicists of the Continent as well as of England, will be interested in this event.

I expect to spend the greater part of next year in Europe on a leave of absence from the University, and I shall take great pleasure in being of any service I can in interesting English or Continental men in this celebration.

Kindly command my services in any way in which they may be of use for this purpose.

EDWARD J. JAMES.

Professor of Public Administration in the University of Chicago.

* * *

(From E. C. Ravenscroft, Dean of Nashville College of Law.)

I desire on behalf of the Nashville College

of Law to express our hearty appreciation of your proposition for a "John Marshall Day." A celebration of this order would do far more toward pointing out the great benefit to be derived from a pure and incorruptible judiciary as exemplified in Chief Justice Marshall than all editorials that could be written against corruption on the bench. The opportunities for good to be derived from a "John Marshall Day" are boundless. We hope you may meet with success in securing the approval of the American Bar Association.

E. C. RAVENSCROFT.

* * *

(From H. N. Ogden, Pres. of Illinois College of Law.)

I have read your proposal for the setting apart of February 4th, 1901, as "John Marshall Day," to commemorate the One Hundredth anniversary of the accession to the Bench, of America's most illustrious judge and I have brought the same to the attention of the members of our faculty. We desire to endorse your proposal and to assure you that the day will be set apart and fittingly observed by the faculty and students of this college.

Permit us to express the hope that the Law Colleges throughout the country may also appropriately observe the day and that thereby the true foundations of the rights and liberties of the American citizen may be revealed to the rising generation of lawyers and judges, and through them to the whole body of the American people.

The celebration of this centennial will be a unique and most important event in the judicial history of the country.

Thanking you for the courtesy, etc., I remain,

HOWARD N. OGDEN,
President.

* * *

(From B. J. Ramage, Dean of Law Department, The University of the South, Seawame, Tennessee.)

The proposed celebration of "John Marshall Day" meets with my heartiest approval. That the event may arouse a keener appreciation of the services rendered the nation by the interpreter of the constitution during its formative period, will surely be the earnest wish of all who love the work of the fathers.

B. J. RAMAGE.

* * *

(From H. B. Hutchins, Dean of University of Michigan Law School, Ann Arbor.)

I certainly favor the proposition for the celebration of "John Marshall Day." The action of the Illinois State Bar Association is to be commended, and I trust that it will be approved by the American Bar Association.

H. B. HUTCHINS.

(From George W. Warvelle, Dean of the Chicago Law School, Chicago.)

I am in receipt of your esteemed communication relative to the popular observance of "John Marshall Day," and in reply would say: the suggestion is an excellent one and is fully approved by the faculty of the Chicago Law School. I beg to assure you that the day will be duly observed by us with special commemorative exercises, including an address on the life and character of the distinguished jurist whose name we all hold in such veneration.

GEO. W. WARVELLE, Dean.

* * *

(Resolution adopted by the Bar Association of San Francisco, Cal.)

Resolved, as the sense of this association, that the project proposing to celebrate the 100th anniversary of the elevation of Chief Justice John Marshall to the Bench of the United States Supreme Court, formulated and submitted by Mr. Adolph Moses, and adopted by the Illinois State Bar Association on July 7th, 1899, be and is hereby endorsed and approved.

Resolved, that a copy of the above resolution be sent to Adolph Moses, Esq., 600-612 The Temple, Chicago, Ill., by the President of this association.

I certify that the foregoing resolution was adopted at a stated meeting of the Bar Association of San Francisco, held on August 11th, 1899.

WM. H. FIFIELD,

President.

* * *

(From Frederic S. Hebard, Chicago, addressed to Sec'y Hinkley.)

The Illinois State Bar Association has very appropriately endorsed Mr. Moses' suggestion that "John Marshall Day" be observed. The day should be one of fervent, dignified and equitable patriotism.

FREDERIC S. HEBARD,

* * *

(From John L. Bridgers, Tarboro, N. C.)

Your letter of the 24th inst. with enclosed paper about the "John Marshall Day" received.

I shall be glad to assist in the matter all I can.

JOHN L. BRIDGERS.

* * *

(From James A. Robb, Sec'y of Indiana Law School.)

Indianapolis, Ind.

I assure you that the Indiana Law School most heartily approves of the proposed "John Marshall Day," and wishes the enterprise the reception and success it deserves. I individually add my hearty endorsement, and at first meeting of the Faculty of this school will present the plan to that body, and I know that they will concur in the matter.

JAMES A. ROBBACH.

(Commercial Law League of America Endorsement.)

The following resolution was unanimously adopted by the Commercial Law League of America, at its 5th Annual Convention, at Asbury Park, N. J., July 24-29, 1899:

Whereas, the Illinois State Bar Association, at its late meeting held at Chicago, endorsed the proposition of Mr. Adolph Moses, of the Chicago Bar, to celebrate February 4, 1901, as "John Marshall Day," in memory of the great event when Chief Justice Marshall first took his seat as Chief Justice of the Supreme Court of the United States; and

Whereas, The Commercial Law League of America has been invited to lend its indorsement to the project.

Be it Resolved, By the Commercial Law League of America, that it heartily endorses such a proposition, and that it will co-operate in such celebration, if the same be authorized by the American Bar Association, to whom the matter has been referred, at its session to be held August 28, 29 and 30, 1899, at Buffalo, N. Y.

* * *

(Resolution of the Virginia State Bar Association, adopted at its late meeting at Hot Springs, Va.)

Resolved, That the Virginia State Bar Association regards with sentiments of warmest approval the movement recently inaugurated by the Illinois State Bar Association, upon the motion of the Hon. Adolph Moses, of the Chicago Bar, to celebrate in an appropriate manner the coming centennial anniversary of the elevation of John Marshall to the position of Chief Justice of the Supreme Court of the United States. His exalted character as a man, his pre-eminence as a jurist, and his illustrious services in the making of the Union, entitle him to the lasting veneration and affection of all his countrymen. The lawyers of Virginia with peculiar pride will cordially unite in any movement to commemorate his labors and to exalt his fame.

Resolved, further, That a committee of five be appointed by the president to communicate to the American Bar Association at its approaching meeting the passage of the foregoing resolution, and to correspond with other bar associations and the bar generally, looking to the accomplishment of the end in view, making a report of their action at the next session of this association.

(Under the above resolution the president appointed the following committee: Messrs. Bev. B. Munford, L. L. Lewis, John A. Coke, Jackson Guy and James P. Harrison.)

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